

ASSEMBLY, No. 5775

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 18, 2021

Sponsored by:

Assemblywoman SERENA DIMASO

District 13 (Monmouth)

SYNOPSIS

Requires automatic recount for elections with vote difference less than 0.5 percent.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning recounts following elections and amending
2 R.S.19:28-1.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. R.S.19:28-1 is amended to read as follows:

8 19:28-1. a. When any candidate at any election shall have
9 reason to believe that an error has been made in counting the votes
10 of that election, the candidate may, within a period of 17 days
11 following such election, apply to a judge of the Superior Court
12 assigned to the county wherein such district or districts are located,
13 for a recount of the votes cast at the election in any district or
14 districts.

15 b. When ten voters at any election shall have reason to believe
16 that an error has been so made in counting the votes upon any
17 public question at any election, such voters may, within a period of
18 17 days following such election, apply to a judge of the Superior
19 Court assigned to the county wherein such district or districts are
20 located, for a recount of the votes cast at the election in any district
21 or districts on such public question.

22 c. When the results of any election is decided by a vote
23 differential of less than 0.5 percent, an automatic recount of the
24 votes cast at the election in any district or districts shall occur
25 within 48 hours following the initial results of that election. The
26 appropriate board of elections or boards of elections, or persons
27 designated by those boards, shall conduct the automatic recount.
28 The State shall incur the costs of conducting an automatic recount
29 required pursuant to this subsection.

30 (P.L.2018, c.72, s.12)

31

32 2. This act shall take effect immediately.

33

34

35 STATEMENT

36

37 This bill requires an automatic recount of the results of any
38 election with a vote difference of less than 0.5 percent.

39 Under current law, recounts can be requested by a candidate for
40 office or by a group of ten voters at any election. The candidate or
41 voters are required to apply for a recount to the appropriate
42 Superior Court.

43 This bill would require an automatic recount when the results of
44 any election is decided by a vote differential of less than 0.5
45 percent. The recount would occur within 48 hours following the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

A5775 DIMASO

3

1 initial results of that election. The appropriate board of elections or
2 boards of elections, or those designated by the boards, would
3 conduct the automatic recount. The State would incur the costs of
4 conducting an automatic recount.