

SENATE, No. 4161

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 15, 2021

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

Removes requirement for promulgation by Governor of national census.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the promulgation by the Governor of the national
2 census and amending various parts of the statutory law.

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

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7 1. R.S.52:4-1 is amended to read as follows:

8 52:4-1. The governor is authorized to **file** in the office of the
9 secretary of state a copy of the bulletin issued by the director of the
10 national census or other officer having charge thereof, and showing
11 the population of the state **issue a statement declaring the date on**
12 **which the Governor received the federal decennial census.** The
13 **file of such bulletin** statement shall be **an official**
14 **promulgation** deemed determinative of the date on which the
15 Governor received such census, which shall take effect
16 immediately].

17 (cf: R.S.52:4-1)

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19 2. Section 5 of P.L.1995, c.425 (C.34:13A-16.2) is amended to
20 read as follows:

21 5. a. The commission shall promulgate guidelines for
22 determining the comparability of jurisdictions for the purposes of
23 paragraph (2) of subsection g. of section 3 of P.L.1977, c.85
24 (C.34:13A-16).

25 b. The commission shall review the guidelines promulgated
26 under this section at least once every four years and may modify or
27 amend them as is deemed necessary; provided, however, that the
28 commission shall review and modify those guidelines in each year in
29 which a federal decennial census **becomes effective pursuant to**
30 **R.S.52:4-1** is received by the Governor.

31 (cf: P.L.1995, c.425, s.5)

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33 3. N.J.S.40A:6-2 is amended to read as follows:

34 40A:6-2. Whenever the classification of any county is changed
35 by reason of increase of population as shown by any future federal
36 decennial census, the change in class shall be deemed to take effect
37 on July 1 following the **promulgation thereof pursuant to R.S. 52:4-**
38 **1** receipt by the Governor of the federal decennial census.

39 (cf: P.L.1981, c.462, s.45)

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41 4. N.J.S.40A:6-6 is amended to read as follows:

42 40A:6-6. A federal decennial census shall **take effect and** be
43 applicable to the classification of all cities within 90 days after its
44 **official promulgation pursuant to R.S. 52:4-1** receipt by the
45 Governor.

46 (cf: P.L.1981, c.462, s.46)

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.

1 5. This act shall take effect immediately and shall be retroactive
2 to July 1, 2021.

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STATEMENT

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7 This bill removes the requirement for promulgation by the
8 Governor of the national census.

9 Under current law, the governor is authorized to file in the office
10 of the Secretary of State a copy of the bulletin issued by the director
11 of the national census. The filing is an official promulgation of the
12 census. This bill removes that requirement.

13 The director of the national census no longer issues a bulletin
14 regarding the census. The information is now available online
15 directly from the Census Bureau and has already been published
16 online by the Secretary of State. Thus, the Governor has already
17 made this information available and the promulgation requirement is
18 no longer necessary. This bill authorizes the Governor to issue a
19 statement declaring the date on which the census was received.