

ASSEMBLY, No. 3915

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MAY 9, 2022

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman ROBERT D. CLIFTON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:

Assemblywomen Dunn, Jimenez, Eulner and Piperno

SYNOPSIS

Requires State to pay for costs to conduct new election if the State is at fault for errors during initial election that requires new election to be held.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/16/2022)

1 AN ACT concerning errors in the conduct of elections and
2 supplementing Title 19 Revised Statutes.

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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. Notwithstanding any law, rule, or regulation to the contrary,
8 if an election is invalidated by a judge of the Superior Court and the
9 judge determines that the State is at fault for an error or errors
10 having occurred in that election, the State shall reimburse the
11 county or municipality, as appropriate, in which the election was
12 held for the costs incurred by the county or municipality to conduct
13 a new election in that county or municipality. A county or
14 municipality, as appropriate, shall be reimbursed under this section
15 upon the application for reimbursement by the governing body of
16 the county or municipality, as appropriate, to the Secretary of State
17 and approval of the application by the Director of the Division of
18 Budget and Accounting in the Department of the Treasury.

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20 2. This act shall take effect immediately and be retroactive to
21 November 1, 2021.

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STATEMENT

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26 This bill requires the State to pay for the costs incurred to
27 conduct a new election if the State is at fault for an error or errors
28 during the initial election that requires a new election to be held.

29 Under the bill, if an election is invalidated by a judge of the
30 Superior Court and the judge determines that the State is at fault for
31 an error or errors having occurred in that election, the State must
32 reimburse the county or municipality, as appropriate, in which the
33 election was held for the costs incurred by the county or
34 municipality to conduct a new election in that county or
35 municipality. The bill provides that a county or municipality, as
36 appropriate, must be reimbursed under the bill upon the application
37 for reimbursement by the governing body of the county or
38 municipality, as appropriate, to the Secretary of State and approval
39 of the application by the Director of the Division of Budget and
40 Accounting in the Department of the Treasury.

41 In the November 2021 election, a judge of the Superior Court
42 invalidated the election for a seat on the township council in Old
43 Bridge, NJ after determining that some voters received the wrong
44 ballot and voted. The Superior Court judge found that, due to an
45 error in the Statewide Voter Registration System that placed certain
46 voters in the wrong ward, the New Jersey Division of Elections was
47 at fault for the election mishap. It is the sponsor's belief that, since
48 the State was at fault for the election mishap, the State rather than
49 the county should pay to conduct a new election.