19:28-1

LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2005   **CHAPTER:**   150

NJSA: 19:28-1 (Sets time period for filing applications for recount at 15 days following election)

BILL NO: A34 (Substituted for S2401)

SPONSOR(S):   Manzo and Fisher

DATE INTRODUCED: March 7, 2005

COMMITTEE: **ASSEMBLY:**   State Government
                SENATE:

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:**   June 20, 2005

                          SENATE: June 20, 2005

DATE OF APPROVAL: July 12, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

   FINAL TEXT OF BILL (Original version of bill enacted)

   A34
            SPONSOR'S STATEMENT: (Begins on page 2 of original bill)   Yes

            COMMITTEE STATEMENT: **ASSEMBLY**:   Yes

                                        SENATE: No

            FLOOR AMENDMENT STATEMENT: No

            LEGISLATIVE FISCAL ESTIMATE: No

   S2401
            SPONSOR'S STATEMENT: (Begins on page 2 of original bill)   Yes

            COMMITTEE STATEMENT: **ASSEMBLY**:   No

                                        SENATE: Yes

            FLOOR AMENDMENT STATEMENT: No

            LEGISLATIVE FISCAL ESTIMATE: No

   VETO MESSAGE: No

   GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

IS 8/3/07

P.L. 2005, CHAPTER 150, *approved July 12, 2005*
Assembly, No. 34

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. When any candidate at any election shall have reason to
9   believe that an error has been made **[**by any district board or any board
10   of canvassers**]** in counting the **[**vote or declaring the vote**]** votes of
11   **[**any**]** that election, **[**he**]** the candidate may, **[**on or before the second
12   Saturday**]** within a period of 15 days following such election**[**, or
13   declaration of any board of canvassers**]** , apply to a judge of the
14   Superior Court assigned to the county wherein such district or districts
15   are located, for a recount of the votes cast at the election in any
16   district or districts.
17   When ten voters at any election shall have reason to believe that an
18   error has been so made in counting **[**or declaring**]** the **[**vote**]** votes
19   upon any public question at any election, such voters may, within a
20   **[**like time, make like application for a like**]** period of 15 days
21   following such election, apply to a judge of the Superior Court
22   assigned to the county wherein such district or districts are located,
23   for a recount of the votes cast at the election in any district or
24   districts on such public question.
25   (cf: P.L.1991, c.91, s.247)

26

27   2. This act shall take effect immediately, unless that date falls
28   within 30 days before an election, in which case this act shall take
29   effect on the 30th day following that election.

30

31   STATEMENT

32

33   The purpose of this bill is to alter the time allotted to file an
34   application with a judge of the Superior Court for a recount of voting
35   machines. Currently, that period of time can be on or before the
36   second Saturday following the election or the declaration of the vote
37   by any board of canvassers. The bill sets the time at within 15 days
38   following the election.

39

40   ─────────────

41

42   Sets time period for filing application for recount at 15 days following
43   election.

**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.

ASSEMBLY, No. 34

STATE OF NEW JERSEY

211th LEGISLATURE

INTRODUCED MARCH 7, 2005

Sponsored by:
Assemblyman LOUIS MANZO
District 31 (Hudson)
Assemblyman DOUGLAS H. FISHER
District 3 (Salem, Cumberland and Gloucester)
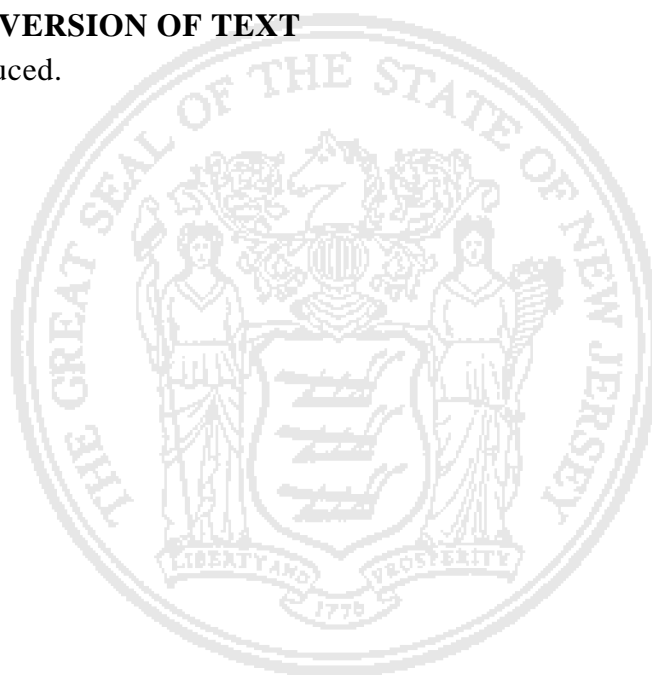
Co-Sponsored by:
Assemblyman Azzolina, Senators Bryant, Madden and Asselta

SYNOPSIS
   Sets time period for filing application for recount at 15 days following election.

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. When any candidate at any election shall have reason to

9   believe that an error has been made [by any district board or any board

10   of canvassers] in counting the [vote or declaring the vote] votes of

11   [any] that election, [he] the candidate may, [on or before the second

12   Saturday] within a period of 15 days following such election[, or

13   declaration of any board of canvassers] , apply to a judge of the

14   Superior Court assigned to the county wherein such district or districts

15   are located, for a recount of the votes cast at the election in any

16   district or districts.

17   When ten voters at any election shall have reason to believe that an

18   error has been so made in counting [or declaring] the [vote] votes

19   upon any public question at any election, such voters may, within a

20   [like time, make like application for a like] period of 15 days

21   following such election, apply to a judge of the Superior Court

22   assigned to the county wherein such district or districts are located,

23   for a recount of the votes cast at the election in any district or

24   districts on such public question.

25   (cf: P.L.1991, c.91, s.247)

26

27   2. This act shall take effect immediately, unless that date falls

28   within 30 days before an election, in which case this act shall take

29   effect on the 30th day following that election.

30

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32   STATEMENT

33

34   The purpose of this bill is to alter the time allotted to file an

35   application with a judge of the Superior Court for a recount of voting

36   machines. Currently, that period of time can be on or before the

37   second Saturday following the election or the declaration of the vote

38   by any board of canvassers. The bill sets the time at within 15 days

39   following the election.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 34

STATE OF NEW JERSEY

DATED: MARCH 7, 2005

The Assembly State Government Committee reports favorably Assembly, No. 34.

This bill alters the period of time allotted to file an application with a judge of the Superior Court for a recount of voting machines. Under current law, that period of time is on or before the second Saturday following the election or the declaration of the vote by any board of canvassers. The bill sets the period of time at within 15 days following the election.

SENATE, No. 2401

STATE OF NEW JERSEY

211th LEGISLATURE

INTRODUCED MARCH 14, 2005

Sponsored by:
Senator WAYNE R. BRYANT
District 5 (Camden and Gloucester)
Senator FRED MADDEN
District 4 (Camden and Gloucester)
Senator NICHOLAS ASSELTA
District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Sets time period for filing application for recount at 15 days following election.

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. When any candidate at any election shall have reason to

9   believe that an error has been made [by any district board or any board

10   of canvassers] in counting the [vote or declaring the vote] <u>votes</u> of

11   [any] <u>that</u> election, [he] <u>the candidate</u> may, [on or before the second

12   Saturday] <u>within a period of 15 days</u> following such election[, or

13   declaration of any board of canvassers], apply to a judge of the

14   Superior Court assigned to the county wherein such district or districts

15   are located, for a recount of the votes cast at the election in any

16   district or districts.

17   When ten voters at any election shall have reason to believe that an

18   error has been so made in counting [or declaring] the [vote] <u>votes</u>

19   upon any public question at any election, such voters may, within a

20   [like time, make like application for a like] <u>period of 15 days</u>

21   <u>following such election, apply to a judge of the Superior Court</u>

22   <u>assigned to the county wherein such district or districts are located,</u>

23   <u>for a</u> recount of the votes cast at the election <u>in any district or</u>

24   <u>districts</u> on such public question.

25   (cf: P.L.1991, c.91, s.247)

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27   2. This act shall take effect immediately, unless that date falls

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34   The purpose of this bill is to alter the time allotted to file an

35   application with a judge of the Superior Court for a recount of voting

36   machines. Currently, that period of time can be on or before the

37   second Saturday following the election or the declaration of the vote

38   by any board of canvassers. The bill sets the time at within 15 days

39   following the election.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2401

STATE OF NEW JERSEY

DATED: MAY 26, 2005

The Senate State Government Committee reports favorably Senate Bill No. 2401.

This bill alters the period of time allotted to file an application with a judge of the Superior Court for a recount of voting machines. Under current law, that period of time is on or before the second Saturday following the election or the declaration of the vote by any board of canvassers. The bill sets the period of time at within 15 days following the election.

As reported, this bill is identical to Assembly, No. 34.