

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4393  
STATE OF NEW JERSEY  
220th LEGISLATURE

DATED: JUNE 27, 2023

SUMMARY

- Synopsis:** “Uniform Public Expression Protection Act”; provides for expedited process for dismissal of “Strategic Lawsuit Against Public Participation” (SLAPP).
- Type of Impact:** Potential annual net State cost savings.
- Agencies Affected:** The Judiciary

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
Potential Net State Cost Savings	Indeterminate

- The Office of Legislative Services (OLS) finds that this bill may result in some indeterminate net cost savings to the Judiciary by providing a process to dismiss a strategic lawsuit against public participation (SLAPP). It may also act as a deterrent from such lawsuits being filed in the first place. However, it is unclear if the reduced court time related to these lawsuits would translate into any savings for the Judiciary.
- According to the American Bar Association, SLAPP suits are meritless lawsuits designed to chill constitutionally protected speech on matters of public concern.

BILL DESCRIPTION

This bill, titled the “Uniform Public Expression Protection Act,” would provide an order to show cause and expedited process to dismiss a “Strategic Lawsuit Against Public Participation” (“SLAPP”). The bill is based on the 2020 uniform act drafted and approved by the Uniform Law Commission, also known as the National Conference of Commissioners on Uniform State Laws.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

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SLAPP suits are meritless lawsuits designed to chill constitutionally protected speech on matters of public concern. In a prior fiscal estimate for a similar bill, the Administrative Office of the Courts said that it anticipated a marginal fiscal impact on the Judiciary. As of April 2023, 32 states and the District of Columbia have anti-SLAPP laws.

*Section:*        *Judiciary*

*Analyst:*      *Anuja Pande Joshi*  
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*Approved:*    *Thomas Koenig*  
                     *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).