

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 3594
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: JUNE 21, 2023

SUMMARY

- Synopsis:** Requires periodic reporting of election results on night of primary and general election and until final tally thereafter; appropriates \$1.5 million.
- Type of Impact:** Annual State expenditure increase; annual county cost and revenue increases.
- Agencies Affected:** Department of State; county boards of elections.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2 and Annually Thereafter</u>
State Cost Increase	Up to \$1.5 million	Subject to appropriation by State
Local Cost Increase	Up to \$1.5 million	Up to \$1.5 million
Local Revenue Increase	Up to \$1.5 million	Subject to appropriation by State

- The Office of Legislative Services (OLS) estimates that this bill will increase county costs by up to \$1.5 million in the first year the bill is in effect, and annually thereafter, for the additional reporting requirements placed on county boards of elections.
- State expenditures will increase by up to \$1.5 million in the first year the bill is in effect. It is customary for election-related requirements placed on county boards of elections to be funded in annual State appropriations acts. This bill establishes new permanent requirements on county boards of elections and provides a first year appropriation of \$1.5 million to reimburse counties for the additional expenditures they will incur because of these requirements. As with other election mandates, it is anticipated that the State will fund cost reimbursements in the out years through the annual appropriations acts.
- The reimbursements received by the counties for their election-related costs would represent revenue increases for these counties.

BILL DESCRIPTION

This bill would require county clerks periodically to report the unofficial tallies of election results on the county clerk's website and to the Secretary of State on the night of a primary and general election and every day thereafter until election certification. The reporting information for the in-person early voting period and the election day vote is to include the number of voting machines or equipment deployed, the number of voting machines or equipment not included in the tally, and the total number of votes cast. For the vote-by-mail vote, the report is to detail the number of vote-by-mail ballots that have been issued and received in the Statewide Voter Registration System, as well as the number of ballots tallied and that remain to be processed. The bill requires the Secretary of State to make the county-by-county totals for each category available on the Division of Election's website and to develop a standardized template for counties to follow in their reporting.

County clerks are also required to provide unofficial reports of the total number of provisional ballots cast during the early voting period and on election day using information from the electronic poll book software. After the election, the county clerks are required to provide periodic unofficial reports on the number of eligible provisional ballots that have been received, which are to be updated daily with the number of eligible provisional ballots that have been counted, until the election is certified. After election certification, county clerks would publish district level results for the early voting period, election day vote, and vote-by-mail vote on their websites.

The bill appropriates \$1.5 million from the General Fund to the Department of State to provide for the bill's provisions.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will increase county costs by up to \$1.5 million in the first year the bill is in effect, and annually thereafter, for the additional reporting requirements placed on county boards of elections. State expenditures will increase by up to \$1.5 million in the first year the bill is in effect to reimburse counties for their new costs. It is customary for election-related requirements placed on county boards of elections to be funded in annual State appropriations acts. This bill establishes new permanent requirements on county boards of elections and provides a first year appropriation of \$1.5 million to reimburse counties for the additional expenditures they will incur because of these requirements. As with other election mandates, it is anticipated that the State will fund cost reimbursements in the out years through the annual appropriations acts. These reimbursements received by the counties for their election-related costs would represent revenue increases for these counties.

FE to SCS for S3594

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Section: State Government

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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.).