

LEGISLATIVE FISCAL ESTIMATE

ASSEMBLY, No. 1970

STATE OF NEW JERSEY

222nd LEGISLATURE

DATED: AUGUST 20, 2026

SUMMARY

Synopsis: Enters New Jersey in Women's Reproductive Health Care Compact.

Type of Impact: Annual State expenditure increase.

Agencies Affected: Department of Law and Public Safety, Department of Banking and Insurance, Department of Health, and the Judiciary.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Expenditure Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill would result in indeterminate annual expenditure increases to the Department of Law and Public Safety, the Department of Banking and Insurance, the Department of Health, and the Judiciary.
- The magnitude of these State expenditures cannot be determined at this time. How the provisions of the bill will interact with existing State law and practices and the impact on costs will depend on how compact member states and non-member states respond to the compact's obligations in practice. Because the frequency and scope of interstate enforcement disputes, extradition refusals, subpoena challenges, and licensing board proceedings cannot be predicted in advance, any estimate of the costs of the bill to the affected State agencies would be speculative.

BILL DESCRIPTION

This bill enters New Jersey in the Women's Reproductive Health Care Compact, which requires member states to collaborate to prevent extradition or investigation of individuals or entities involved in providing or receiving reproductive health care services for women.

Under the bill and according to the terms of the compact, the Office of the Attorney General is required to collaborate with other member states to prevent record disclosure, negative licensing actions, malpractice insurance increases, clawback lawsuits, and data collection on certain aspects of women seeking out-of-State reproductive health care services. The bill also provides that a taxpaying resident of any member state has standing in the courts of any member state to require the attorney general of that member state to enforce this compact.

New Jersey may withdraw from the compact with six months written notice to the chief executive of every other member to the compact.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill would result in indeterminate annual expenditure increases to the Department of Law and Public Safety, the Department of Banking and Insurance, the Department of Health, and the Judiciary.

Department of Law and Public Safety: Article 7 of the compact grants taxpayers in any compact member state the standing to sue the attorney general of any other member state to compel enforcement of the compact. This creates a mandatory, open-ended enforcement obligation that could increase the workload of the Department of Law and Public Safety.

Article 4(a) requires member states to work with other member states to prevent the extradition or investigation of an individual or entity involved in the provision or receipt of women's reproductive health care services. The Office of the Attorney General would be required to review extradition requests received from a non-member state to determine whether they relate to reproductive health care services and to refuse those that do so. The office would also be required to actively resist investigations by non-member states targeting New Jersey-based providers or patients, which could mean issuing protective orders or litigating to block those investigations.

Moreover, states with abortion bans are increasingly targeting out-of-state providers, including those in New Jersey, who use telehealth to send abortion medication to their residents. Article 4(c) of the compact requires member states to prevent negative licensing actions, malpractice insurance increases, and clawback lawsuits against reproductive healthcare providers. This article could compel the relevant licensing boards in the Division of Consumer Affairs to intervene on behalf of these providers, which would increase the workload of these boards.

Department of Banking and Insurance: The compact's prohibition on medical malpractice insurance increases for individuals or entities that provide reproductive healthcare services would require the department to monitor and potentially intervene to prevent insurers from raising malpractice premiums for providers specifically because of their reproductive healthcare practice.

Department of Health: Article 4(d) of the compact prohibits any external collection of individually identifiable data on persons seeking reproductive healthcare services. This prohibition could conflict with existing federal reporting requirements and may require the department to build or modify systems to screen data requests, evaluate which disclosures are permissible under Article 5 (the HIPAA exception), and respond to data subpoenas or public records requests in a legally defensible manner.

The Judiciary: The bill would create new responsibilities for the Superior Court that could increase its workload and costs in ways that cannot be predicted in advance. Because the volume of these

cases will depend on how other states and their residents respond to the compact after enactment, the magnitude of these cost increases to the State's court system is indeterminate.

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Section: Law and Public Safety

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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.).