

ASSEMBLY, No. 1390

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman WILLIAM F. MOEN

District 5 (Camden and Gloucester)

SYNOPSIS

Creates fund to reimburse counties for cost of certain mail-in ballot procedures; appropriates \$4,000,000.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** creating a fund to offset the cost to counties of
2 implementing certain aspects of the law concerning mail-in
3 ballots, supplementing P.L.2009, c.79 (C.19:63-1 et seq.), and
4 making an appropriation.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

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9 1. There is created a special, non-lapsing fund in the
10 Department of State that shall be designated the “Mail-In Ballot
11 County Reimbursement Fund.” The fund shall be maintained as a
12 separate account and administered by the Secretary of State. The
13 fund shall consist of: (1) any monies appropriated by the State for
14 the purposes of the fund; and (2) all interest and investment
15 earnings received on monies in the fund. The fund shall be used to
16 offset the additional direct expenditures required for the
17 implementation of P.L.2018, c.72 and P.L.2019, c.265 and any rule
18 or regulation issued pursuant thereto.

19 There shall be appropriated annually through the annual
20 appropriations act such amounts as shall be deemed necessary for
21 the purposes of the fund.

22 The clerk of each county shall, on or before January 1 of each
23 year following the year for which the county is seeking
24 reimbursement, certify to the Department of State, in a manner
25 prescribed by the department, the total cost incurred by the county
26 in implementing the provisions of P.L.2018, c.72 and P.L.2019,
27 c.265.

28
29 2. There is appropriated from the State General Fund to the
30 Department of State for deposit into the “Mail-In Ballot County
31 Reimbursement Fund,” created pursuant to section 1 of P.L. ,
32 c. (C.) (pending before the Legislature as this bill), the sum
33 of \$4,000,000 for the purposes specified therein.

34
35 3. To the extent deemed expired by the Council on Local
36 Mandates, established by section 4 of P.L.1996, c.24 (C.52:13H-4)
37 pursuant to Article VIII, Section II, paragraph 5 of the New Jersey
38 Constitution, the provisions of P.L.2018, c.72 and P.L.2019, 265
39 shall be accorded full force and effect retroactive to the effective
40 dates thereof, the funding for which shall be provided as in sections
41 1 and 2 of this act, P.L. , c. (C.) (pending before the
42 Legislature as this bill) to offset the additional direct expenditures
43 required for the implementation of such laws as required under
44 Article VIII, Section II, paragraph 5 of the New Jersey Constitution.

45
46 4. This act shall take effect immediately.

1 STATEMENT

2

3 This bill creates a fund to reimburse counties for the cost of
4 implementing laws enacted in 2018 and 2019 that require county
5 clerks to provide mail-in ballots for all future elections to voters
6 who requested a mail-in ballot for the 2016 general election, or any
7 election in 2017 and 2018. The bill requires an annual
8 appropriation to the new fund for each State fiscal year.

9 This bill also appropriates for the current State fiscal year
10 \$4,000,000 from the State General Fund for deposit into the new
11 fund to reimburse counties for the additional direct costs incurred in
12 carrying out the purpose of the 2018 and 2019 laws.

13 This bill is intended to address the order of the Council on Local
14 Mandates in In The Matter of the Complaint Filed by the New
15 Jersey Association of Counties No. 1-19, issued November 15,
16 2019.

WITHDRAWN