

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 4814
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JUNE 28, 2021

SUMMARY

Synopsis: Allows mail-in voter to cure mail-in ballot due to missing certificate.

Type of Impact: State and local expenditure increases.

Agencies Affected: Division of Elections, Department of State; county boards of elections.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase:			
Cure Letters		Indeterminate	
Local Cost Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that the ballot cure provisions of this bill will result in an indeterminate cost increase for the State and county boards of elections.
- This bill expands the ballot curing provisions under current law to include the ability of voters to cure ballots rejected due to a missing Certificate of Mail-in Voter. The county boards of elections will incur costs to produce, process, and mail cure letters to voters whose ballots contained discrepancies, re-process returned cure letters, and any additional workload and overtime costs.
- The OLS notes that the implementation costs of this bill are likely to vary from year to year, depending on the type of elections held (such as local, gubernatorial, legislative, congressional, or presidential), the number of voters who vote by mail in any given year, and the missing certificate error rate.
- The OLS notes that this fiscal estimate assumes the State will reimburse county boards of elections for the costs of administering cure letters.

BILL DESCRIPTION

Under current law, voters who vote by mail are required to complete and sign the Certificate of Mail-in Voter that is attached to the flap of the mail-in ballot inner envelope. This certifies the voter’s address, that the voter is the person who applied for the ballot and marked the ballot in secret, and that a family member may assist the voter. Any person who assisted the voter in marking the ballot must complete a portion of the certificate to certify such assistance and to declare that the person will maintain the secrecy of the voter’s ballot and to provide that person’s signature, printed name, and address. Under current law, ballots that arrive without the completed certificate are not counted. Although current law allows voters to cure signature defects on their mail-in ballots due to a missing or discrepant signature, the ballot curing process does not include the ability to cure the ballot due to a missing certificate.

This bill expand the ballot curing process to allow a mail-in voter to cure their mail-in ballot due to a missing mail-in voter certificate. Under this bill, the county board of elections would be required to provide the voter, along with a Cure Letter and Cure Form, with a substantially similar certificate for the voter to complete in order to cure the voter’s mail-in ballot in accordance with the same requirements, procedures, and timeframes specified for ballot curing due to a missing or discrepant signature.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

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Section: State Government
Analyst: Raysa Martinez Kruger
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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.).