

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2580
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JULY 6, 2020

SUMMARY

Synopsis: Requires county boards of election to establish ballot drop boxes in each county at least seven days before election.

Type of Impact: Annual State and local government cost increases; annual local revenue increases.

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

Office of Legislative Services Estimate

Fiscal Impact	
Annual State Cost Increase	Indeterminate
Annual Local Cost Increase	Indeterminate
Annual Local Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) estimates that the bill will result in indeterminate annual State and local government cost increases to provide ballot drop boxes for all elections in the State. However, there will be no net increase in State and local expenditures through December 31, 2020 because all costs associated with the ballot drop boxes are being reimbursed from federal Coronavirus Aid Relief, and Economic Security Act (CARES Act) funding through year end.
- Any local costs incurred after this date to meet the requirements of the bill are not eligible for federal reimbursement; however, the bill provides that counties and municipalities are to be reimbursed from the State General Fund for any expenditures needed to implement the provisions of this bill.
- The OLS notes that many of the requirements of the bill coincide with those of Executive Order 144 requiring the procurement of secure ballot drop boxes for the July 7, 2020 primary elections. This bill expands that requirement to any subsequent election in the State. The Division of Elections informed the OLS that, in accordance with Executive Order 144, it had purchased five ballot drop boxes for each county in the State using CARES Act funds at a

cost of \$5,000 per box for a total procurement cost of \$525,000. The order required the drop boxes to be placed in locations that are readily accessible to registered voters in the county. Each of the 105 ballot drop boxes has been delivered and, at the time of this writing, are in the process of being installed.

BILL DESCRIPTION

This bill requires county boards of elections to establish mail-in ballot drop boxes in each county at least seven days before any election. Under current law, voters who vote using a mail-in ballot may deposit their ballot in the mail or may deliver it in person to the county board of elections or provide it to a mail-in ballot bearer to deliver their ballot. This bill would also entitle mail-in voters to deposit their ballot in a ballot drop box before the time designated for the closing of the polls on election day.

Under the bill, the board of elections in each county would establish ballot drop boxes in a manner that provides the greatest convenience to voters. Ballot drop boxes would include both staffed and unstaffed locations. Staffed ballot drop boxes would be in the view of a live person who is employed at the drop box location, a municipal or county employee, or a temporary worker or volunteer retained to monitor the drop box. A staffed ballot drop box would not be required to be available for use by a voter 24 hours a day, but would be required to be available and staffed beginning at least seven days before the election. Unstaffed ballot drop boxes would be secure but not required to be within view of a live person for monitoring. Unstaffed ballot drop boxes would be available for use by a voter 24 hours a day in a location equipped with security cameras that allow for the surveillance. Both staffed and unstaffed drop box locations would be required to be accessible to voters with disabilities.

The bill requires the Secretary of State, in consultation with county clerks and municipal clerks, to establish the rules and regulations necessary to ensure the secure and successful implementation of the mail-in ballot drop boxes.

The bill also provides for an appropriation from the State General Fund to the Department of State of the sums necessary to reimburse counties and municipalities for the costs of implementing its provisions.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the bill will result in indeterminate annual State and local government cost increases to provide ballot drop boxes for all elections in the State. However, there will be no net increase in State and local expenditures through December 31, 2020 because all costs associated with their establishment are being reimbursed from federal CARES Act funding through year end. Any local costs incurred after this date to meet the requirements of the bill are not eligible for federal reimbursement; however, the bill provides that counties and municipalities are to be reimbursed from the State General Fund for any expenditures needed to implement the provisions of this bill.

The Division of Elections informed the OLS that, in accordance with Executive Order 144, it had purchased five ballot drop boxes for each county in the State using CARES Act Funds at a cost of \$5,000 per box for a total procurement cost of \$525,000. The Executive Order required the drop boxes to be placed in locations that are readily accessible to the registered voters in the county. Each of the 105 ballot drop boxes has been delivered to the requisite county and, at the time of this writing, are in the process of being installed. The OLS notes that, according to the division, the demand for ballot drop boxes nationwide required the division to place an order expeditiously for the drop boxes with a supplier that was able to provide the requisite number of drop boxes for delivery within the necessary timeframe. County boards of elections who determine they need additional drop boxes beyond what is required by the executive order can buy additional drop boxes and will be reimbursed with CARES Act funding through the end of the year.

Total installation costs of the drop boxes have not yet been determined. Data indicate that installment costs can add an additional 33 percent to the total cost of drop boxes if installed by outside vendors. Some counties are employing their public works departments to secure the boxes. At this time, all drop boxes are being installed outside, secured to the concrete, and placed in locations with video surveillance capability. According to the division, installation costs will be reimbursed with CARES Act funding. From an operational standpoint, the division indicates that the county boards of elections shall disburse a team of two to collect the ballots from each of the five boxes once per day. These operational costs have not yet been estimated but will only be reimbursed with CARES Act funds through year end.

This bill requires the installation of both unstaffed and staffed drop boxes. The drop boxes that have been procured and are being installed have been unstaffed drop boxes. Depending upon the rules and regulations established by the Secretary of State regarding the secure and successful implementation of the drop boxes, as required by this bill, the secretary of State could purchase additional drop boxes to provide for staffed drop boxes, reallocate some of the drop boxes already purchased and installed to provide for staffed drop boxes, or could satisfy the requirement using a combination of procurement and reallocation depending on the requirements of this bill. Any additional drop boxes purchased would cost approximately \$5,000 to procure with additional undetermined installation costs.

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