

LEGISLATIVE FISCAL ESTIMATE
[First Reprint]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2633
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: SEPTEMBER 1, 2020

SUMMARY

Synopsis: Extends ballot receipt and election certification deadlines; increases certain messenger and bearer ballot limits; requires certain information to increase public awareness and use of voting by mail.

Type of Impact: State expenditure increase. Potential local expenditure increases. Revenue to local governments for costs reimbursable by the State.

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		Indeterminate	
Local Cost Increase		Indeterminate	
Local Revenue Increase		Indeterminate	

- The Division of Elections recently informed the Office of Legislative Services (OLS) that it would cost the State approximately \$5,000 for the Secretary of State to prepare a voter information notice that illustrates and promotes the use of voting by mail, including the description of the vote-by-mail process and to distribute copies of the poster to the county boards. The State will be required to reimburse local government entities for any costs they incur in complying with the provisions of providing the information notices to voters.
- The division indicates that the provisions directing the Secretary of State to prepare educational materials for employees of county boards of elections that provide clear information regarding the standards for acceptance and rejection of mail-in ballots and the safe-keeping of all materials in the case of rejection, would not increase the costs to the division because this additional educational information would be included among other educational materials that the division issues on a regular basis.

- The division indicates that the provision in the bill that requires the Secretary of State to inform the voter that the status of the voter's mail-in ballot may be checked using the free-access system would not increase costs to the Secretary of State.
- The OLS notes that because the sections concerning the 24-hour notice and authorized messengers and bearers will not take effect until February 1, 2021, the costs of these provisions will not affect the costs of the 2020 general election. The changes regarding the authorized messengers will be included in subsequent voting materials among other changes that the division makes on a regular basis. The 24-hour notice may increase costs to the county clerks' offices depending on the volume of future disapproved ballot applications in future elections and the manner in which the notifications are made.

BILL DESCRIPTION

This bill extends certain ballot receipt and election certification deadlines; increases certain messenger and bearer ballot limits; and requires certain information to increase public awareness and use of voting by mail.

Under the bill, the Secretary of State is required to:

- (1) prepare informational posters for use at all polling places that promote voting by mail,
- (2) include with mail-in ballots information for the voter on how to check the status of the voter's mail-in ballot, and
- (3) provide educational materials to county board of elections employees on the standards for acceptance and rejection of mail-in ballots.

The educational materials prepared by the Secretary of State would serve an educational purpose for the county board and would not replace, supersede, or void the authority of the county board or a judge of the Superior Court to accept or reject a mail-in ballot.

The bill establishes an alternative way to cure signature defects on applications for a mail-in ballot by requiring notification to the applicant within 24 hours of the determination of disapproval. Under the bill, the notice must state the specific reasons for the disapproval and inform the applicant of the opportunity to challenge the disapproval by contacting the county clerk's office. In addition, the bill provides that the county clerk would be responsible for preparing and furnishing ballots for municipal elections and extends certain deadlines for the certification of election results by the municipal clerk, the meeting of the board of county canvassers, and the transmission of the statement of the canvass or other statements to the Secretary of State.

Finally, the bill allows a person to serve as an authorized messenger or bearer for five qualified voters if those voters are an immediate family member residing in the same household as the messenger or bearer.

The bill provides that the sections concerning the 24-hour notice and authorized messengers and bearers will not take effect until February 1, 2021.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received

OFFICE OF LEGISLATIVE SERVICES

The Division of Elections recently informed the OLS that it would cost the State approximately \$5,000 for the Secretary of State to prepare a voter information notice that illustrates and promotes the use of voting by mail, including the description of the vote-by-mail process and to distribute copies of the poster to the county boards. The State will be required to reimburse local government entities for any costs they incur in complying with the provisions of providing the information notices to voters.

The division indicates that the provisions directing the Secretary of State to prepare educational materials for employees of county boards of elections that provide clear information regarding the standards for acceptance and rejection of mail-in ballots and the safe-keeping of all materials in the case of rejection, would not increase the costs to the division because this additional educational information would be included among other educational materials that the division issues on a regular basis.

The division indicates that the provision in the bill that requires the Secretary of State to inform the voter that the status of the voter's mail-in ballot may be checked using the free-access system would not increase costs to the Secretary of State.

The OLS notes that because the sections concerning the 24-hour notice and authorized messengers and bearers will not take effect until February 1, 2021 the costs of these provisions will not affect the costs of the 2020 general election. The changes regarding the authorized messengers will be included in subsequent voting materials among other changes that the division makes on a regular basis. The 24-hour notice may increase costs to the county clerks' offices depending on the volume of future disapproved ballot applications in future elections and the manner in which the notifications are made.

Section: *State Government*

Analyst: *Kimberly M. Clemmensen*
 Lead Fiscal Analyst

Approved: *Frank W. Haines III*
 Legislative Budget and Finance Officer

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