

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2699
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: AUGUST 26, 2020

SUMMARY

Synopsis: Permits voters to cure signature defects on mail-in and provisional ballots.

Type of Impact: State and local expenditure increases; potential local revenue increases.

Agencies Affected: Division of Elections in the 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	\$150,000	\$50,000	\$50,000
Public Awareness Campaign		Indeterminate	
Local Cost Increase		Indeterminate	
Local Revenue Increase		Indeterminate	

- The Division of Elections informed the Office of Legislative Services (OLS) that a survey of the number of cure letters sent out after the most recent primary election in New Jersey found that 18,000 cure letters had to be sent to voters whose ballots had discrepancies. This represented approximately 1.2 percent of the total number of people who voted in the primary and the total cost was approximately \$50,000.
- Using these same metrics to estimate the number of cure letters that may have to be sent for the November 3, 2020 General Election, the division estimates that approximately 55,000 cure letters may have to be sent to voters for curing, assuming a 70 percent turnout rate. The division estimates that this could cost approximately \$150,000 for the county boards of elections to produce, process, and mail cure letters to voters whose ballots contained discrepancies, and re-process returned cure letters. This estimate includes additional workload and overtime costs.
- The OLS notes that this fiscal estimate assumes the State will reimburse county boards of elections for the costs of administering cure letters.

- The division indicated that it is currently working on, but has not yet completed, a fiscal estimate of the cost to the State to implement a public awareness campaign that would inform the public of the importance of a voter's signature on mail-in and provisional ballots, how signatures are verified, and the notice and cure process. Thus, this cost is indeterminate at this time.
- Additionally, the division indicated that issuing guidance to county boards of elections regarding the procedures to make determinations about the validity of voter signatures would not increase costs to the division because these additional procedures would be included among other guidance the division issues on a regular basis.

BILL DESCRIPTION

This bill prohibits county boards of elections from rejecting any mail-in or provisional ballot with a missing signature or a signature mismatch unless the voter is provided the opportunity to cure signature discrepancies. The ballot will be tentatively rejected until the voter cures the discrepancies within 14 days following the election.

Under the bill, when a county board of elections has identified a mail-in or provisional ballot containing either a missing signature or a signature mismatch, the board must notify the voter within 24 hours from the time the ballot was tentatively rejected. The bill requires the board to send the voter a cure letter instructing the voter to return the enclosed cure form by mail, fax, email, or in person to the board of elections 14 days following the date of the election. The form would allow the voter to verify his or her identity by providing the number of a driver's license or a non-driver identification card. If the voter does not possess either form of identification, the last four digits of his or her social security number may be provided. If the voter does not have any of the above forms of identification, a copy of a state-accepted form of identification listing the voter's name and address may be submitted.

If a voter timely returns a properly completed cure form and the information provided verifies his or her identity, the mail-in or provisional ballot would be counted in the final election results. Failure to return the cure form would result in a rejection of the mail-in or provisional ballot.

A county board of elections must report to the Division of Elections, within 14 days after an election, whether it has completed the processing of all mail-in and provisional ballots. If processing has not been completed, the board must provide an update on its progress.

This bill also directs the Secretary of State to issue guidance advising county boards of elections to, at a minimum, meet in advance of the date of an election and eight days after an election to discharge their duties under the bill and to issue guidance regarding signature variation.

Finally, the Division of Elections is required to conduct a public awareness campaign in advance of an election concerning the importance of signatures on mail-in and provisional ballots, how signatures are verified, and the notice and cure process.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

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Section: State Government

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Legislative Budget and Finance Officer*

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