

LEGISLATIVE FISCAL ESTIMATE
[First Reprint]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 647
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: FEBRUARY 28, 2018

SUMMARY

Synopsis: Permits registered voters to receive mail-in ballots automatically for all elections under certain conditions.

Type of Impact: Indeterminate expenditure increase to State General fund.
Indeterminate expenditure increase and decrease to local government funds.

Agencies Affected: Department of State, Division of Elections; County Clerks Offices; 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	Indeterminate—See comments below		
Local Cost	Indeterminate—See comments below		
Local Savings	Indeterminate—See comments below		

- This bill changes current law to provide that a registered voter can choose to vote by mail-in ballot in all future elections, including general elections, held in this State.
- This bill provides that a sample ballot for an election would not be sent to any qualified voter who has been sent a mail-in ballot for an election and whose voted ballot has been received by the county board of elections.
- The Office of Legislative Services (OLS) estimates that if this bill is enacted, it is likely that there will be an increase in the number of mail-in ballots sent for all future elections, but there will also be a reduction in the number of sample ballots produced, mailed, and returned as undeliverable, so the associated costs or savings will most likely depend on the number of ballots needed or not needed, and the cost for each ballot in each county.
- This bill also makes administrative changes to current law, which may result in fiscal consequences for the county clerks and the county boards of elections.

- The bill requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, which may result in an increased expenditure by the Secretary of State.
- The bill requires each county clerk to add to the list of registered voters receiving a mail-in ballot for all future elections without request, each voter who requested a mail-in ballot for the 2016 general election, and requires the clerk to transmit to each such voter a notice informing the voter that he or she will automatically receive a mail-in ballot unless the voter informs the clerk otherwise, which may result in an increased expenditure by each county clerk.

BILL DESCRIPTION

This bill changes current law to enable a qualified voter to vote by mail-in ballot in all future elections. The bill also provides that a voter who requested a mail-in ballot for all future elections, including future general elections, will continue to receive a mail-in ballot for such elections until the voter notifies the appropriate county clerk in writing that he or she no longer wishes to receive such a ballot, or is no longer eligible to vote.

Current law provides that if a voter who has requested a mail-in ballot for future general elections only does not vote in the fourth general election following the general election at which the voter last voted, the county clerk will send a notice to that voter to ascertain whether he or she continues to reside at the address from which that voter is registered to vote.

The bill also:

1) provides that a sample ballot for an election would not be mailed to any voter who has been sent a mail-in ballot for that election and whose voted ballot has been received by the county board of elections prior to the transmission of sample ballots to voters required by current law;

2) requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, upon the finding by the Secretary of State that such technology is viable;

3) reformats the text of the required public notice concerning the use of mail-in ballots that appears in newspapers before an election;

4) permits the clerk of each county to use an alternative mail-in ballot certification that permits the voter to certify the correctness of the identifying information contained on the label of the ballot instead of requiring the voter to provide the voter's name and address on the certification; and

8) adds to the list of registered voters receiving a mail-in ballot for all future elections without further request, each voter who requested and received a mail-in ballot for the 2016 general election. The county clerks are to transmit to each such voter a notice that he or she will automatically receive a mail-in ballot for all future elections unless the voter otherwise informs the clerk.

In addition, amended bill:

1) reformats existing law so that at the top of a vote by mail ballot application, the first option a qualified voter will have is to vote in all future elections, including general elections, and the second option a qualified voter will have is to vote in any single election held in this State;

2) includes on the certificate of a mail-in ballot used in a primary election a space to allow the voter to fill-in the name of the political party; and

3) permits the clerk of each county to print on the margin of the flap of the inner envelope of the mail-in ballot an alternative certificate that permits the voter to certify the correctness of the voter's name and address.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that there will be an increase in the number of mail-in ballots sent for all future elections, including general elections, pursuant to the provisions of this bill, but there will also be a reduction in the number of sample ballots produced, mailed and returned as undeliverable. Thus, the associated costs or savings will most likely depend on the number of ballots needed or not needed, and the cost for each ballot in each county. The exact amount of money that would be expended on mail-in ballots, and the amount of money saved on sample ballots, would likely vary from county to county and cannot be estimated at this time due to a lack of information.

With respect to mail-in ballots, OLS estimates that the bill could potentially increase the number of mail-in ballots that would be requested, thus adding to the costs of the county clerks and the county boards of elections for the ballot's production, mailing, and processing upon return. Determining the number of additional ballots needed is difficult, with perhaps more requested for general elections than all other elections, as general elections tend to result in the largest number of voters voting.

The OLS notes that the bill also makes administrative changes to current law, which may have fiscal consequences. One potential cost-saving change is the reformatting of the text of the required public advertisement concerning the use of mail-in ballots that appears in newspapers before an election. The reformatted text may require less advertising space, perhaps reducing the costs of each such advertisement. One change that may increase costs is the cost to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system. This change would likely require at least a one-time programming expense for the Secretary of State and may require additional monitoring. Another change that may increase costs for the county clerks is the cost of informing each voter who voted by mail-in ballot in the 2016 general election that he or she will automatically receive a mail-in ballot for all future elections, unless the voter informs the clerk in writing that he or she does not wish to receive such a ballot. The fiscal impact of this change will likely vary from county to county, depending on the format and cost of the notice, and the number of voters from the county who voted in the 2016 general election. Finally, one change that may result in little or no increase or decrease in costs to the county clerk may be the provision that permits a clerk to use an alternative mail-in ballot certificate to enable a voter using a mail-in ballot to certify the correctness of the voter's name and address.

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Section: State Government

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