LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4674

STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JANUARY 15, 2026

SUMMARY

Synopsis: Upgrades cyber-harassment of public servant or family member to third degree crime; requires Attorney General to establish cyber-harassment prevention initiatives; appropriates funds.

Type of Impact: Annual State expenditure and revenue increases. Annual expenditure increases to county governments.

Agencies Affected: Department of Law and Public Safety; the Judiciary; Office of the Public Defender; Department of Corrections; State Parole Board; County Governments.

Office of Legislative Services Estimate

Fiscal Impact	Annual
State and Local Expenditure Increases	Indeterminate
State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that requiring the Attorney General, through the Division of Violence Intervention in the Department of Law and Public Safety, to promote the provisions of this bill and upgrading the crime of cyber-harassment under certain circumstances would result in indeterminate annual expenditure increases to the Department of Law and Public Safety, the Judiciary, the Office of the Public Defender, and county prosecutors' offices to the extent the bill results in more trials and convictions.

- The crime of cyber-harassment would be upgraded from a crime of the fourth degree to a crime of the third degree if committed against a public servant. Third degree crimes are punishable by a term of imprisonment of three to five years, a fine of up to $15,000, or both. The State would incur an indeterminate annual revenue increase from fines imposed on violators if the bill's provisions result in more third-degree convictions. Further, the Department of Corrections would incur increased annual costs if the bill's provisions result in more offenders being incarcerated. The OLS has insufficient data to serve as a basis for projecting the number of convictions that would result under the bill.

BILL DESCRIPTION

This bill would upgrade the crime of cyber-harassment of a public servant or a public servant's family, and requires the Attorney General, through the Division of Violence Intervention and Victim Assistance in the Department of Law and Public Safety, to promote education and awareness of cyber-harassment, aid victims of cyber-harassment crimes, and promote initiatives and training throughout the State to prevent cyber-harassment, specifically against public servants and their family members.

Currently, cyber-harassment is a crime of the fourth degree, unless the person is 21 years of age or older at the time of the offense and impersonates a minor for the purpose of cyber-harassing a minor, in which case it is a crime of the third degree. A crime of the fourth degree is punishable by a term of imprisonment of up to 18 months, a fine of up to $10,000, or both; and a crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to $15,000, or both. This bill amends the current law to also make cyber-harassment a third-degree crime if a person commits the offense against a public servant or any member of a public servant's family.

Lastly, the bill would appropriate from the General Fund to the Department of Law and Public Safety such funds as are necessary for the implementation of the provisions of the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that that requiring the Attorney General, through the Division of Violence Intervention and Victim Assistance in the Department of Law and Public Safety, to promote the provisions of this bill and upgrading the crime of cyber-harassment under certain circumstances would result in indeterminate annual expenditure increases to the Department of Law and Public Safety, the Judiciary, the Department of Corrections, the Office of the Public Defender, and county prosecutors' offices to the extent the bill results in more trials and convictions.

Expenditure Increases: The bill requires the Attorney General, through the Division of Violence Intervention and Victim Assistance to implement cyber-harassment education and awareness and provide victim support activities across the State. The bill also requires the appropriation of funds necessary for the implementation of the provisions of this bill. The OLS cannot predict the funds that would be required to implement the program or the number of public employees, or their families, that would require assistance under this initiative.

The provisions of the bill that upgrade the crime of cyber-harassment against public servants to a crime of the third degree, punishable by a term of imprisonment of three to five years, a fine of up to $15,000, or both, may result in several criminal justice-involved State agencies incurring caseload and expenditure increases. The Department of Law and Public Safety would provide guidance and other information related to the prosecution of the cases; county prosecutors would have to prosecute additional cases; the Judiciary would have to adjudicate additional complaints and monitor additional probationers; the Office of the Public Defender may have to represent additional low-income criminal defendants; the Department of Corrections would have to house

and care for more individuals who are sentenced to prison terms; and the State Parole Board would have to supervise the return to society of additional formerly incarcerated persons.

The OLS has insufficient data to serve as a basis for projecting the increase in criminal cases and convictions that may occur under the bill.

Revenue Increases: The bill upgrades the crime of cyber-harassment to a crime of the third degree, which is punishable by a term of imprisonment of three to five years, a fine of up to $15,000, or both. However, it should be noted that crimes of the third degree carry a presumption of non-incarceration for first-time offenders.

The OLS cannot determine the number of convictions which may result from violations of the bill's provisions, and by extension the total of any fine, fee, and assessment collections or the costs associated with incarcerating convicted offenders. The OLS additionally notes that due to financial constraints, many penalties go unpaid by persons convicted of crimes.

Section:	*Law and Public Safety*
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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.).