

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 4142 STATE OF NEW JERSEY 221st LEGISLATURE

DATED: FEBRUARY 27, 2025

### SUMMARY

- Synopsis:** Revises design of primary election ballots and certain primary election procedures; provides for ballots to be arranged by office block; removes State committee members from primary process; requires reporting on primary elections by Division of Elections.
- Type of Impact:** One-time expenditure increase for the State and counties; potential periodic State costs.
- Agencies Affected:** Department of State; the Judiciary; counties.

#### Office of Legislative Services Estimate

Fiscal Impact	
<b>One-Time State Expenditure Increase</b>	Indeterminate
<b>One-Time County Expenditure Increase</b>	Indeterminate
<b>Potential Periodic Costs to the Judiciary</b>	Indeterminate

- The Office of Legislative Services (OLS) determines that the required redesigning of the primary election ballots may result in an indeterminate one-time expenditure increase for county governments. The OLS does not have specific data concerning the cost of redesigning an election ballot.
- The OLS concludes that the required data collection and subsequent report by the Division of Elections regarding the experiences of election officials, candidates, and voters regarding the ballot changes will result in an indeterminate one-time expenditure increase to the Department of State.
- The OLS notes that the Judiciary may incur periodic costs under the provisions of the bill which grant candidates the right to appeal certain decisions regarding nominating petitions.

## **BILL DESCRIPTION**

This bill revises the design of primary election ballots and certain primary election procedures, provides for ballots to be arranged by office block, removes State committee members from the primary process, and requires reporting on primary elections by the Division of Elections in the Department of State.

The bill requires each county clerk in the State to redesign the primary election ballot and to arrange the candidates on the primary election ballot by office block. The redesigning of the primary election ballot established by the bill is required for both Democratic and Republican primary election ballots. The Secretary of State is required to promulgate uniform guidelines for all county clerks to follow in order to comply with the requirements outlined in the bill.

The bill also removes State political committee members from the primary process and, in turn, the primary election ballot. The bill provides for State political committee members to instead be selected by the members of their respective county political committees.

The bill also requires the Division of Elections to submit a report concerning the conduct of primary elections, best practices to improve the conduct of future primary elections, and any other relevant information regarding the implementation of the new ballot designs and primary election procedures. At a minimum, the division is required to collect data on the experiences of election officials, candidates, and voters regarding the ballot changes, including whether the changes increased the level of confusion for candidates and voters or increased the difficulty for election officials to administer primary elections, and the costs of the implementation. The Division of Elections is required to prepare and submit the report within 180 days after the date of the second primary election following the enactment of the bill.

The bill also explicitly grants candidates the right to appeal certain decisions regarding nominating petitions to a judge in the Superior Court in the county in which the petition of nomination was filed and provides that such appeals are to be heard on an expedited basis.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that the redesigning of the primary election ballots may result in a one-time expenditure increase for county governments. The OLS, however, does not have access to specific data concerning the cost of redesigning an election ballot.

Additionally, the OLS concludes that the required data collection and subsequent report by the Division of Elections regarding the experiences of election officials, candidates, and voters regarding the ballot changes will result in a one-time expenditure increase to the Department of State. The OLS lacks the informational basis to determine the extent of this cost increase.

The OLS notes that the Department of State may experience a modest increase in its administrative workload, as the bill requires the Secretary of State, in consultation with all county clerks, to promulgate uniform guidelines for all county clerks to follow in order to comply with the requirements outlined in the bill.

The OLS also notes that the Judiciary may incur periodic costs under the provision of the bill that grants candidates the right to appeal certain decisions regarding nominating petitions. These appeals are to be heard by the court on an expedited basis.

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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.).