LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 4664

STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JANUARY 15, 2026

SUMMARY

Synopsis:	Revises process for filling vacancy from this State in United States House of Representatives.
Type of Impact:	Periodic State expenditure increases and decreases. Periodic county expenditure and revenue decreases.
Agencies Affected:	Department of State; County Boards of Election; County Clerks' Offices.

Office of Legislative Services Estimate

Periodic Fiscal Impact	
State Expenditure Increase	Indeterminate
State Expenditure Decrease	Indeterminate
Local Expenditure Decrease	Indeterminate
Local Revenue Decrease	Indeterminate

- The Office of Legislative Services (OLS) estimates that requiring the Governor to issue a writ of election to start the process to fill a vacancy from this State in the United States House of Representatives when the unexpired term is 135 days or more, permitting the Governor to issue a writ of election to start the process to fill a vacancy from this State in the United States House of Representatives when the unexpired term is less than 135 days, providing an expedited process for such elections to be held, and removing the requirement to hold an election to fill the vacancy on the same day as the regular primary and general election in certain circumstances will likely cause the State to hold more special elections to fill such vacancies and increase State costs by an indeterminate amount for each additional special election held.

- The OLS also anticipates that requiring county boards of elections to publish notice of an upcoming election 45 days prior to an election, instead of each week between the issuance of a writ of election and an election, will decrease county government expenditures and revenues from State reimbursements for these costs by an indeterminate amount.

BILL DESCRIPTION

This bill provides a revised process for filling a vacancy from this State in the United States House of Representatives. Under the bill, the Governor is required to issue a writ of election to start the process to fill a vacancy within 10 days of a vacancy's occurrence. The bill specifies that when the remaining term equals or exceeds 180 days, the State is required to hold both a special primary election and a special general election, which may occur on the same date as a regular primary or general election under certain circumstances. When the remaining term is less than 180 days but not less than 135 days, the bill requires the State to hold a special election to fill the vacancy on the same day as the general election. The bill requires each election to be held within a certain number of days in each scenario and requires the writ of election to indicate the date of each election. Under the bill, the Governor is required to issue a writ of election to start the process to fill a vacancy when the remaining term equals or exceeds 135 days. The bill also permits the Governor to issue a writ of election to start the process to fill a vacancy when the remaining term is less than 135 days.

In addition, the bill requires county boards of elections to provide notice of an election at least 45 days prior to the election's date.

Under current law, the Governor is not required to issue a writ of election within a certain timeframe nor begin the process to fill a vacant seat when the remaining term will expire in less than six months. The law also requires an election to fill a vacant seat to be held on the same day as the regular primary and general election in certain circumstances. In addition, current law requires county boards of elections to provide notice of an election once a week for every week between the issuance of a writ of election and an election date.

The law requires the State to reimburse county governments for the publishing of such notices.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that requiring the Governor to issue a writ of election to start the process to fill a vacancy from this State in the United States House of Representatives when the unexpired term is 135 days or more, permitting the Governor to issue a writ of election to start the process to fill a vacancy from this State in the United States House of Representatives when the unexpired term is less than 135 days, providing an expedited process for such elections to be held, and removing the requirement to hold an election to fill the vacancy on the same day as the regular primary and general election in certain circumstances will likely cause the State to hold more special elections to fill such vacancies and increase State costs by an indeterminate amount for each additional special election held.

The OLS also anticipates that requiring county boards of election to publish notice of an upcoming election 45 days prior to an election, instead of each week between the issuance of a writ of election and an election, will decrease county government expenditures and revenues from State reimbursements for these costs by an indeterminate amount.

The OLS does not know the number of polling locations that would be required to hold a special election to fill a particular United States House of Representatives vacant seat in this State,

the number of poll workers needed per location, the additional pay for supervisors at each location, overtime costs for other personnel, mileage, and rental fees for each location, or the magnitude of any voter education campaigns beyond the public notice requirements of the bill. The cost for items such as ballot printing, postage, and processing as well as voting machine delivery are also unknown. Therefore, the cost to implement the bill's provisions is indeterminate.

Section:	*State Government*
Analyst:	*Anna Harris* *Associate Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

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.).