

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0095-01
Bill No.: HB 121
Subject: County Officials; Elections; Secretary of State
Type: Original
Date: February 14, 2011

Bill Summary: This proposal modifies various provisions relating to elections.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on FTE	0	0	0

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Local Government	\$0 to (Unknown)	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **County of Buchanan** assume the proposal will have no fiscal impact on their county.

Officials from the **Office of Secretary of State (SOS)** state that many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Section 115.637

Officials from the **Platte County Board of Election Commission** assume the following costs in 2012:

Replace required Electioneering Signs at Poll Sites -	\$250.00
Printing costs - update Election Judge Handbooks with new information	<u>\$ 50.00</u>
Total Costs for FY 2012	\$300.00

Oversight assumes that Local Election Authorities could incur costs to replace signs at poll sites and update handbooks; therefore, **Oversight** has shown a \$0 to unknown costs to the Local Election Authorities for FY 2012.

ASSUMPTION (continued)

Section 115.241

In response to similar legislation filed this session (HB 54, 387-01), officials at the **Platte County Board of Election Commission** assumed a savings of \$50 in ballot printing costs per election.

In response to similar legislation filed this session (HB 54, 387-01), officials at the **County of Johnson** assumed an unknown savings.

Oversight assumes that any realized savings from not printing the emblems on the ballot is minimal; therefore, Oversight is showing no impact.

Officials at the following board of election commissions: Kansas City Board of Election Commission, St. Louis City Board of Election Commission, Clay County Board of Election Commission, Jackson County Board of Election Commission and St. Louis County Board of Election Commission did not respond to **Oversight's** request for fiscal impact.

Officials at the following counties: Andrew, Barry, Bates, Boone, Butler, Callaway, Camden, Cape Girardeau, Carroll, Cass, Clay, Cole, Cooper, DeKalb, Franklin, Greene, Hickory, Holt, Jackson, Jasper, Jefferson, Knox, Laclede, Lafayette, Lawrence, Lincoln, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Pemiscot, Perry, Phelps, Platte, Pulaski, Scott, St. Charles, St. Louis, St. Francois, Taney, Texas, Warren, and Webster did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
LOCAL ELECTION AUTHORITY FUNDS			
<u>Costs - Local Election Authorities</u>			
Update election judge handbooks and replace required electioneering signs at poll sites	<u>\$0 to (Unknown)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITY FUNDS			
	<u>\$0 to (Unknown)</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill changes the laws regarding elections. In its main provisions, the bill:

- (1) Prohibits a person from being elected or appointed the clerk of a county commission unless he or she has resided within the county for one year prior to his or her election instead of the current six-month requirement;
- (2) Establishes filing deadlines for any election in a political subdivision or special district in a noncharter county that is held on the general municipal election day. The opening filing date will be December 1 of the year prior to the election, and the closing date will be January 1 of the year in which the election is held;
- (3) Changes when a candidate has the right to a recount of the votes from a standard requiring the candidate's defeat by less than 1% of the votes cast to a candidate's defeat by less than one-half of 1% of the votes cast;

FISCAL DESCRIPTION (continued)

(4) Requires a person who is conducting exit polling, surveying, sampling, electioneering, distributing election literature, posting signs, or placing vehicles bearing signs with respect to any candidate or question to be voted on at an election on election day to not be within 50 feet, instead of the current 25 feet, of the building's outer door closest to the polling place. Anyone violating this provision will be guilty of a class four election offense; and

(5) Repeals the provision that requires a political party's emblem to be printed on an election ballot above the party caption.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

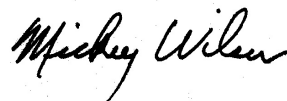
SOURCES OF INFORMATION

Office of Secretary of State
Buchanan County
Johnson County
Platte County Board of Election Commissioners

NOT RESPONDING

Board of Election Commissions of: Kansas City Board of Election Commission, St. Louis City Board of Election Commission, Clay County Board of Election Commission, Jackson County Board of Election Commission, St. Louis County Board of Election Commission

Counties of: Andrew, Barry, Bates, Boone, Butler, Callaway, Camden, Cape Girardeau, Carroll, Cass, Clay, Cole, Cooper, DeKalb, Franklin, Greene, Hickory, Holt, Jackson, Jasper, Jefferson, Knox, Laclede, Lafayette, Lawrence, Lincoln, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Pemiscot, Perry, Phelps, Platte, Pulaski, Scott, St. Charles, St. Louis, St. Francois, Taney, Texas, Warren, Webster



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