

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2580-01  
Bill No.: HB 1191  
Subject: Elections; Political Parties  
Type: Original  
Date: March 30, 2015

---

Bill Summary: This proposal modifies the process for selecting candidates for special elections.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	\$0 to (\$14,200,000)	\$0 to (\$14,200,000)	\$0 to (\$14,200,000)
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0 to (\$14,200,000)</b>	<b>\$0 to (\$14,200,000)</b>	<b>\$0 to (\$14,200,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Office of the Secretary of State (SOS)** assume currently, when a vacancy occurs in the offices of U.S. Representative, State Senator and State Representative, the Governor shall without delay issue a writ of election to fill such vacancy. §115.363.5 RSMo states that a party nominating committee may nominate a candidate for an election called to fill a vacancy.

This proposal would replace this nominating process with a separate primary election prior to the special election. It would require candidates to be nominated at a primary election which shall be held on a Tuesday at least forty-five days prior to the date of the special election. It would essentially create an additional election, to select nominees, prior to the special election. Due to the election process, 78 days are needed between the date of the primary election and the date of the special election.

Pursuant to §115.063.2 RSMo, the state is required to pay all costs associated with special elections. Due to the un-predictability of when vacancies may occur and the geographical size of the vacated district, costs associated with this proposal are difficult to estimate. In previous special elections, costs have varied from \$25,000 to \$715,000 per election; however, if there is a statewide vacancy, the cost is \$7.1 million per election. This proposal doubles the cost of each special election due to a primary election for the special election; however, it is possible for primary not to be. It also doubles the length of time needed for the election process because of the addition of a primary election. The Secretary of State assumes, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to adequately fund all special elections.

Officials at the **Platte County Board of Election Commission** assume this proposal adds a full election at a cost of about \$65,000 per election.

**Oversight** assumes the SOS would pay for any election costs and therefore, the local elections authorities will see no fiscal impact from this proposal.

Officials at the **St. Louis County Board of Election Commission**, the **Callaway County Board of Election Commission** assume no fiscal impact from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
<b>GENERAL REVENUE</b>			
<u>Cost - SOS - primary/special election costs</u>	\$0 to <u>(\$14,200,000)</u>	\$0 to <u>(\$14,200,000)</u>	\$0 to <u>(\$14,200,000)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>\$0 to <u>(\$14,200,000)</u></b>	<b>\$0 to <u>(\$14,200,000)</u></b>	<b>\$0 to <u>(\$14,200,000)</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill requires that a primary election be held in lieu of candidate nomination by a political party committee when a vacancy in office is currently to be filled by a special election. The primary election must be held on a Tuesday at least 45 days prior to the date of the special election using the filing procedures in Sections 115.305 to 115.359, RSMo.

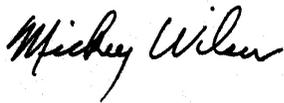
A political party nominating committee may select a party candidate for nomination to an office on the primary election ballot preceding a general or special election only if there is no candidate selected by the new primary election process that can serve on the general election ballot. The deadlines currently used for general election selections under Sections 115.363, 115.367, and 115.373 must also be used for purposes of candidate selection in special elections by nominating committees in those instances when the nominations remain necessary.

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

L.R. No. 2580-01  
Bill No. HB 1191  
Page 5 of 5  
March 30, 2015

SOURCES OF INFORMATION

Office of the Secretary of State  
Platte County Board of Election Commission  
Callaway County Board of Election Commission  
St. Louis County Board of Election Commission



Mickey Wilson, CPA  
Director  
March 30, 2015

Ross Strope  
Assistant Director  
March 30, 2015