

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1258-05  
Bill No.: HCS for SCS for SB 270 with HA 1, HA 2, HA 3, HA 4, HA 5, and HA 6  
Subject: Elections; Secretary of State  
Type: Original  
Date: May 11, 2011

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Bill Summary: This proposal modifies the dates available for public elections.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
General Revenue	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0 or (Greater than \$7,000,000)</b>	<b>\$0 or (Greater than \$7,000,000)</b>	<b>\$0 or (Greater than \$7,000,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<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 10 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</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 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Local Government</b>	<b>Unknown greater than \$13,500 to (Unknown)</b>	<b>Unknown greater than \$6,000 to (Unknown)</b>	<b>Unknown greater than \$6,000 to (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### **Sections 26.016, 27.015, 28.190, 29.280, 30.060, 30.080, 105.030, 105.040, 105.050 Elections to fill vacancies**

In response to similar legislation filed this year, HB 107, officials at the **Office of the Governor** assume no impact as long as there are no statewide elected official vacancies.

Officials at the **Missouri Senate** and the **Office of the State Auditor** assume that there is no fiscal impact from this proposal.

Officials at the **Office of the Secretary of State (SOS)** assume that if a special election is called for this purpose rather than being voted on at a general election, the cost of the special election has been estimated to be \$7 million based on the cost of the previous Presidential Primary and a cost determined by Legislative Oversight.

**Oversight** has reflected in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having a statewide election voted on during a special election in each fiscal year. This reflects the decision made by the Joint Committee on Legislative Research, that the cost of the elections should be shown in the fiscal note. Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in each of the fiscal years. To estimate the expense the state would incur for reimbursing local political subdivisions for a special election, Oversight requested expense estimates from all election authorities for an election. Eighty-six out of the one hundred fifteen election authorities responded to Oversight's request. From these respondents; the total election expense that would have to be reimbursed by the state government is over \$7 million. Therefore, **Oversight** will reflect a potential cost borne by the state in each fiscal year of over \$7 million for reimbursement to the local political subdivisions.

#### **Section 54.330 Collector Candidate Qualifications**

**Oversight** assumes this proposal outlines qualifications to be a candidate and therefore would have no fiscal impact on state or local election authority funds.

#### **Section 115.123 Primary Election Date and House Amendment 1**

Officials at the **Johnson County, Kansas City Board of Election Commission, Office of the Secretary of State** and the **Platte County Board of Election Commission** assume that there is no fiscal impact from this proposal.

ASSUMPTION (continued)

**Oversight** assumes that changing the date of an election would not affect the cost of the election. Oversight assumes no impact from this proposal.

**Section 115.293 Death of Absentee Voter**

**Oversight** assume this proposal does not have an impact on state or local funds.

**Section 190.056 Ambulance District Recall Elections**

In response to similar legislation filed this year, HB 521, the following responded:

Officials from the **Office of Secretary of State** and **Buchanan County** assume that there is no fiscal impact from this proposal.

Officials from the **Platte County Board of Election Commission** state the costs related to a recall election would be borne by the Ambulance District in question and not directly by the Board of Elections/County Clerk conducting the election or verifying the petitions.

Officials from the **St. Charles County Ambulance District** state the District could incur election expenses on any given year from \$30,000 to \$60,000 dependent on the number of issues on the ballot at the time.

**Oversight** assumes this proposal could have fiscal impact to ambulance districts if one would have a board member recalled and an election were held to replace the member recalled. The amount of costs would be unknown and would depend upon the size of the district, how many other political subdivisions are holding an election at the same time and other variables. Oversight will show fiscal impact to ambulance districts as \$0 to unknown costs for an election.

**Section 115.241 Removing Party Emblems from Ballot**

In response to similar legislation filed this year, HB 54, the following responded:

Officials at the **Office of the Secretary of State** assume that there is no fiscal impact from this proposal.

Officials at the **Platte County Board of Election Commission** assume a savings of \$50 in ballot printing costs per election.

Officials at the **Johnson County** assume an unknown savings.

ASSUMPTION (continued)

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

#### Bill as a Whole

Officials at the **Buchanan County** and the **Office of the State Treasurer** assume that there is no fiscal impact from this proposal.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS 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 recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes 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 the office can sustain with the core budget. Therefore, the SOS reserves 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.

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.

Officials at the following board of election commissions: 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.

#### **House Amendment 2 Public Libraries**

In response to similar legislation filed this year, HB 416, the following responded:

ASSUMPTION (continued)

Officials from the **State Tax Commission** and the **Office of Secretary of State** assume that there is no fiscal impact from this proposal.

Officials from the **Department of Revenue (DOR)** state the response to a proposal similar to or identical to this one in a previous session indicated DOR planned to absorb the administrative costs to implement the proposal. Due to budget constraints, reduction of staff and the limitations within DOR tax systems, changes cannot be made without significant impact to DOR resources and budget.

DOR officials state the department and ITSD-DOR will need to make programming changes for various tax systems. DOR will also need to make form changes. Therefore, the IT portion of the fiscal impact is estimated with a level of effort valued at \$13,356 (504 FTE X \$26.50 per hour).

**Oversight** assumes DOR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOR could absorb the personal service costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

The following counties did not respond to **Oversight's** request for fiscal impact: **Butler, Ripley, Wayne, Stoddard, New Madrid, Dunklin and Pemiscot.**

**Oversight** assumes this proposal is discretionary and would have no local fiscal impact without action by the governing body.

#### **House Amendment 3 Committees**

Officials at the **Missouri Ethics Commission** assume that there is no fiscal impact from this proposal.

#### **House Amendment 4 Mayor Qualifications**

**Oversight** assumes that changes the qualifications to run for mayor will not have a fiscal impact on state or local funds.

#### **House Amendment 5 State Blue Book**

**Oversight** assumes that since this proposal allows for the collection of the printing costs but does not allow the organization to maintain any extra money from the printing of the blue books that the organization will only charge what is necessary to cover printing costs. Therefore this proposal will have no impact on the state.

ASSUMPTION (continued)

### **House Amendment 6 Email Address**

In response to similar legislation filed this year, HB 180, the following responded:

Officials at the **Buchanan County, Kansas City Board of Election Commission** and the **Platte County Board of Election Commission** assume that there is no fiscal impact from this proposal.

Officials at the **St. Louis County Board of Election Commission** assume if enacted this bill would allow local election authorities to email election information and notices to voters.

Costs: An estimated 160 hours of programming, testing and training time: \$6,000.00

Savings: For every 1,000 emails on file the Board of Election Commission would save:

Election Notification/Polling Place Card @ \$0.20 each: \$200.00

**Oversight** assumes this proposal states that the local election authority can choose to collect the email information but must still communicate with their voters via current procedure, which is by mail. Oversight assumes that due to the cost of collecting the email information without the possibility of a reduction in mailing expenses that local election authorities will not choose to collect the email information unless they are willing to cover the costs. This proposal would not result in any savings but could result in a potential cost to the local election authorities.

**Oversight** assumes that if any election authority would proceed with the collection of the emails then the programming costs would occur only in one fiscal year. Oversight has shown a zero (no election authority collecting the information) to unknown impact in each fiscal year

### **Amendments as a Whole**

Officials at the **Missouri Senate, Office of the State Auditor** and the **Office of the State Treasurer** assume that there is no fiscal impact from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
<b>GENERAL REVENUE</b>			
<u>Transfer Out</u> - reimbursement of local political subdivisions for special election costs	<u>\$0 or (Greater than \$7,000,000)</u>	<u>\$0 or (Greater than \$7,000,000)</u>	<u>\$0 or (Greater than \$7,000,000)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>\$0 or (Greater than \$7,000,000)</u></b>	<b><u>\$0 or (Greater than \$7,000,000)</u></b>	<b><u>\$0 or (Greater than \$7,000,000)</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
<b>LOCAL ELECTION AUTHORITY FUNDS</b>			
<u>Savings</u> - Local Election Authority Election costs saved (78.090)	\$0 to \$13,500	\$0 to \$6,000	\$0 to \$6,000
<u>Savings</u> - Local Election Authority from elections not held (115.1240)	Unknown	Unknown	Unknown
<u>Transfer In</u> - cost reimbursement from the State for the special elections	\$0 or Greater than \$7,000,000	\$0 or Greater than \$7,000,000	\$0 or Greater than \$7,000,000
<u>Cost</u> - cost of special elections	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)
<u>Cost</u> - local election authorities Collecting email addresses	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
<b>ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITY FUNDS</b>	<b><u>Unknown greater than \$13,500 to (Unknown)</u></b>	<b><u>Unknown greater than \$6,000 to (Unknown)</u></b>	<b><u>Unknown greater than \$6,000 to (Unknown)</u></b>

**AMBULANCE DISTRICT FUNDS**

<u>Cost - cost of recall election</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>
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**ESTIMATED NET EFFECT ON  
AMBULANCE DISTRICT FUNDS**

<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>
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FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This act removes the first Tuesday after the first Monday in February and June as dates available for public elections.

Currently, the Office of United States Senator and most statewide offices, except for the Office of Governor, may be filled by a gubernatorial appointment when there is a vacancy. This bill requires special elections to be held in order to fill the positions of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer.

If there is a vacancy for any reason in the Office of Lieutenant Governor, Office of Secretary of State, or Office of State Treasurer, the Governor will take charge of these offices until a successor is elected at the special election. In the case of an impeachment trial for these offices, the Governor supervises these offices until a final determination is made and there is a reinstatement of the official to office or a special election.

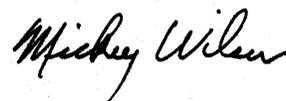
If a vacancy occurs for any reason in the Office of United States Senator, the Office of the Attorney General, or the Office of State Auditor, the Governor will appoint an acting senator, attorney general, or auditor to take charge of the office or hold the office in the case of the United States Senator until the special election is held. In the case of an impeachment in the Office of the Attorney General or the Office of State Auditor, the acting attorney general or auditor will supervise the duties of the office until a final determination is made and there is a reinstatement of the official to office or a special election.

FISCAL DESCRIPTION (continued)

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

Buchanan County  
Department of Revenue  
Johnson County  
Kansas City Board of Election Commission  
Missouri Ethics Commission  
Missouri Senate  
Office of the Governor  
Office of the Secretary of State  
Office of the State Auditor  
Office of the State Treasurer  
Platte County Board of Election Commission  
State Tax Commission  
St. Charles County Ambulance  
St. Louis County Board of Election Commission



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Mickey Wilson, CPA  
Director  
May 11, 2011