

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6542-07  
Bill No.: Truly Agreed To and Finally Passed SS for SCS for HCS for HJR 90  
Subject: Elections; Constitutional Amendments  
Type: Original  
Date: June 9, 2014

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Bill Summary: This proposes a constitutional amendment specifying an early voting period.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
General Revenue	\$0 or (More than \$7,100,000)	\$0	\$0 or (\$2,094,602)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0 or (More than \$7,100,000)</b>	<b>\$0</b>	<b>\$0 or (\$2,094,602)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<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 12 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<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>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<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>			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
<b>Local Government*</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* Revenues and costs net to zero.

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Atchison County** assume a cost estimate of \$22,500 for additional voting staff, voting supplies and start up election costs.

1.	Additional staffing in the office is going to be required to oversee the coordination of an Advance Voting process	
	Part time Assistant Office Administrator	\$ 4,500.00
	Two part time Office Clerks	\$ 4,200.00
2.	Election Judges working during the Advance Voting period	\$ 3,800.00
3.	Voting supplies required every election. Included but not limited to DRE programming (Touch screen voting devices), direct phone line and others.	\$ 5,000.00
4.	Start up election Equipment including but not limited to Electronic Poll Books, Computer, direct phone line and others.	\$ 4,500.00
5.	Voting location rent	<u>\$ 500.00</u>
	<b>TOTAL AVERAGE ADDITIONAL COST FOR ADVANCE VOTING</b>	<b>\$22,500.00</b>

Officials at the **McDonald County** assume a cost estimate of \$24,000.

Officials at the **Linn County** assume a cost estimate of \$12,800 for voting staff, voting supplies and start up election costs.

1.	Additional staffing in the office is going to be required to oversee the coordination of an Advance Voting process	
	Part time Assistant Office Administrator	0
	One part time Office Clerk	\$ 700.00
2.	Election Judges working during the Advance Voting period	\$ 2,600.00
3.	Voting supplies required every election. Included but not limited to OVO programming (OVI voting devices), direct phone line and others.	\$ 5,000.00
4.	Start up election Equipment including but not limited to Electronic Poll Books, Computer, direct phone line and others.	<u>\$ 4,500.00</u>
5.	Voting location rent 0 as using office	
	<b>TOTAL AVERAGE ADDITIONAL COST FOR ADVANCE VOTING</b>	<b>\$12,800.00</b>

Officials at the **Gasconade County** assume a cost of \$6,200 for additional voting staff, voting supplies and start up election costs for early voting.

ASSUMPTION (continued)

Officials at the **Lincoln County** assume an estimate of \$65,400 for early voting costs.

1. 4 election judges working during the 6 day advance voting period \$ 3,000.00
  2. Increased office staff overtime due to increased volume and increased responsibilities required under Sections 11.2 and 11.3 \$ 2,000.00
  3. Miscellaneous precinct supplies \$ 400.00
- TOTAL ESTIMATED RECURRING ELECTION COSTS (PER ELECTION) \$5,400.00

4. Construction of a secure office space within the Courthouse to facilitate increased staff as well as increased voter volume \$20,000.00
  5. Start up election Equipment including but not limited to furniture, Workstation PC x 2, Precinct Tabulator x 2, VAT Marking Device, Ballot on Demand Systems to ensure ballot availability for voters \$40,000.00
- TOTAL ESTIMATED START UP ELECTION COSTS (ONE TIME) \$60,000.00  
TOTAL ESTIMATED INCREASED COST OF FIRST ELECTION \$65,400.00

Officials at the **Cooper County** assume an early voting cost estimate of \$24,000.

1. Additional staffing in the office is going to be required to oversee the coordination of an Advance Voting process  
Part time Assistant Office Administrator \$ 4,500.00  
Two part time Office Clerks \$ 4,200.00
  2. Election Judges working during the Advance Voting period \$ 3,800.00
  3. Voting supplies required every election. Included but not limited to DRE programming (Touch screen voting devices), direct phone line and others. \$ 5,000.00
  4. Start up election Equipment including but not limited to Electronic Poll Books, Computer, direct phone line and others. \$ 4,500.00
  5. Voting location rent \$ 2,000.00
- TOTAL AVERAGE ADDITIONAL COST FOR ADVANCE VOTING \$24,000.00

Officials at the **Lawrence County** assume an estimate of \$22,381 for increased costs due to envelopes required, election judges required, postage, programming etc.

Officials at the **Platte County Board of Election Commission** assume additional election judge costs of \$1,200, additional postage \$1,200 and additional ballot costs of \$2,000 for a total estimate of \$4,400.

ASSUMPTION (continued)

Officials at the **Cole County** assume an estimate of \$11,500.

1. Additional staffing in the office is going to be required to oversee the coordination of an Advance Voting process  
 Two Part time Office Clerk \$ 2,000.00
  2. Voting supplies required every election. Included but not limited to DRE programming and others. \$ 5,000.00
  3. Start up election Equipment including but not limited to Electronic Poll Books, Computer, direct phone line and others. \$ 4,500.00
- TOTAL AVERAGE ADDITIONAL COST FOR ADVANCE VOTING \$11,500.00

Officials at the **Texas County** assume additional costs of \$23,000.

Officials at the **St. Louis County Board of Election Commission** assume the following costs for early voting.

Advanced Voting Site Costs

	Operating Days	Number of Sites	Site Rental	Number of Elections	Total
Site Lease	6	1	\$2,500	3	\$7,500
High Speed Internet		1	\$165	3	\$495
24 Hour Security	6	1	\$240	3	\$4,320
TOTAL					\$12,315

ASSUMPTION (continued)

Part-time Labor

	Operating Days	Number of Sites	# of Workers per Site	Labor per worker per hour	Number of Elections	Total
Labor	6	1	2	\$16.03	3	\$4,616.64
Labor	6	1	12	\$15.00	3	\$25,920
Social Security @7.65%					3	\$2,336.05
6 Hour Training Class				\$15.00	3	\$540.00
TOTAL						\$33,412.69

Total annual location and labor costs: \$45,727.69

Non-recurring Start Up Costs

Equipment	Cost	Number of Sites	Qty per Site	Total
Laptops	\$1,000	1	4	\$4,000
Printers	\$1,000	1	1	\$1,000
Tables, Chairs, signs, posters etc	\$400	1		\$400
TOTAL				\$5,400

Total Costs 1st year \$63,442.69  
 Total Costs 2nd year \$15,242.56  
 Total Costs 3rd year \$45,727.69

ASSUMPTION (continued)

Officials at the **Office of the Secretary of State (SOS)** did not respond to **Oversight's** request for fiscal impact. However, the SOS provides Oversight with the following language regarding all joint resolution election costs.

**SOS** assumes each year, a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII section 2(b) of the Missouri Constitution authorizes the governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, section 115.063.2, RSMo, requires the state to pay the costs. The cost of the special election has been estimated to be \$7.1 million based on the cost of the 2012 Presidential Preference Primary. This figure was determined through analyzing and totaling expense reports from the 2012 Presidential Preference Primary received from local election authorities.

The Secretary of State's Office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. 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. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. The appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2013, at the August and November elections, there were 5 statewide Constitutional Amendments or ballot propositions that cost \$2.17 million to publish (an average of \$434,000 per issue). Therefore, the Secretary of State's Office assumes, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. However, because these requirements are mandatory, we reserve the right to request funding to meet the cost of our publishing requirements if the Governor and the General Assembly change the amount or eliminate the estimated nature of our appropriation.

**Oversight** has reflected in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having this joint resolution voted on during a special election in fiscal year 2015. This reflects the decision made by the Joint Committee on Legislative Research, that

ASSUMPTION (continued)

the cost of the elections should be shown in the fiscal note. The next scheduled general election is in November 2014 (FY 2015). It is assumed the subject within this proposal could be on that ballot; however, it could also be on a special election called for by the Governor. Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in FY 2015.

**SOS** previously provided Oversight with information regarding some of the requirements of this proposal. They stated this joint resolution requires local election authorities to conduct early voting at the local election authority's location for all general elections. The early voting period shall take place during the six business days, not including Saturday or Sunday, immediately prior to and including the last Wednesday prior to election day. Local election authorities shall appoint at least one election judge from each major political party to serve at the early voting site of the local election authority.

Each early voting location at the local election authority's office may be staffed by two election judges paid \$9 per hour for the 6 days that it will be open for voting during regular business hours – a total of \$100,224 per election.

Subsection 2 of Section 11, states that no local election authority shall, in advance of the day of the election, disclose the identity of any qualified voter who, in advance of the day of the election, has cast or has not cast a ballot, unless the qualified voter has authorized the disclosure. A qualified voter's authorization must be in writing, signed by the qualified voter, dated, and delivered to the secretary of state. In order for the secretary of state to process these authorization forms and to notify local election authority's of such authorization, there is a cost of \$8,800 in updates to MCVR. Furthermore, in order for each registered voter to have notice of the opportunity to provide such authorization, the secretary of state will send a mailer to all registered voters to notify them prior to the first general election after the passage of this resolution. At 4,052,199 registered voters x \$.49 postage, printing and processing, the total cost for this notice is \$1,985,577.51. This cost will not be re-occurring, as the secretary of state will attempt to incorporate such notice onto voter registration paperwork to provide notice to newly registered voters.

The cost would be estimated at \$2,094,602 for FY 2017.

**Oversight** assumes this proposal would impact the general election if adopted by the voters and funded by the legislature. Oversight will show the impact in FY 2017 (the first general election that may be impacted) as \$0 (no appropriation is made or HJR is not approved by voters) to the estimate previously provided by Office of the Secretary of State.

JH:LR:OD

ASSUMPTION (continued)

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

Officials at the following counties: Andrew, Audrain, Barry, Bates, Boone, Buchanan, Callaway, Camden, Cape Girardeau, Carroll, Cass, Clay, DeKalb, Franklin, Greene, Holt, Jackson, Jefferson, Johnson, Knox, Laclede, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Perry, Pettis, Phelps, Platte, Pulaski, Scott, St. Charles, St. Louis, St. Francois, Taney, Warren, Wayne and Worth did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
<b>GENERAL REVENUE</b>			
<u>Transfer Out</u> - Secretary of State - reimbursement of local election authority election costs if a special election is called by the Governor	\$0 or (More than \$7,100,000)	\$0	\$0
<u>Cost</u> - SOS - advance voting costs	<u>\$0</u>	<u>\$0</u>	\$0 or <u>(\$2,094,602)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>\$0 or (More than <u>\$7,100,000</u>)</b>	<b><u>\$0</u></b>	<b>\$0 or <u>(\$2,094,602)</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
<b>LOCAL ELECTION AUTHORITIES FUNDS</b>			
<u>Transfer In</u> - Local Election Authorities - reimbursement of election costs by the State for a special election	\$0 or More than \$7,100,000	\$0	\$0
<u>Costs</u> - Local Election Authorities - cost of a special election	\$0 or (More than \$7,100,000)	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITIES FUNDS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Upon voter approval, this proposed constitutional amendment requires, beginning with the 2016 general election, the establishment of an early voting period prior to the general election. The period will run for six days terminating on the last Wednesday before a general election and not including Saturday or Sunday. In person voting will be during regular business hours at the local election authority sites. Voting may be in-person or by mail using ballots similar to absentee ballots, but with no excuse or reason will be required to vote early. A voter making use of early voting must be registered by the fourth Wednesday prior to the general election. A qualified voter may request delivery of one ballot by mail per general election upon written request to the Office of the Secretary of State or to his or her local election authority.

The resolution contains restrictions on the release of identifying information of a voter who votes early. Laws may require the release of information on those not voting early, but the identity and residential address of anyone voting early will be confidential unless the qualified voter agrees in writing to the release of the information. Each local election authority must appoint an election judge from each major party for each voting site with the appointment process identical to that

FISCAL DESCRIPTION (continued)

required by general election law. Procedures for counting, tabulating, and casting ballots are the same as in general law.

The resolution requires the state to appropriate funds for the payment of any new expenses incurred by local election authorities. The resolution does not repeal or modify general election laws or constitutional provisions regarding the voting process such as the right to cast an absentee ballot.

The provisions of the resolution must be self-executing and the resolution contains an entrenching clause requiring that subsequent constitutional amendments reference the resolution in order to modify or change its content. It also states that it cannot be repealed by implication.

The resolution contains a severability clause

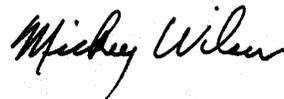
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Atchison County  
Cole County  
Cooper County  
Gasconade County  
Lawrence County  
Lincoln County  
Linn County  
McDonald County  
Platte County Board of Election Commission  
St. Louis County Board of Election Commission  
Texas County

Not Responding

Office of the Secretary of State



Mickey Wilson, CPA  
Director  
June 9, 2014

Ross Strope  
Assistant Director  
June 9, 2014