

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5344-01
Bill No.: SB 1125
Subject: Secretary of State: Elections
Type: Original
Date: March 3, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
General Revenue	Less than (\$102,500)	Less than (\$102,500)	Less than (\$102,500)
Total Estimated Net Effect on General Revenue Fund	Less than (\$102,500)	Less than (\$102,500)	Less than (\$102,500)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Office of State Court Administrator** assume no fiscal impact on the Courts.

Officials of the **Office of Prosecution Services** assumes no fiscal impact to County Prosecutors.

Officials of the **Department of Corrections (DOC)** stated that they cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost either through incarceration (FY05 average of \$39.13 per inmate, per day or an annual cost of \$14,282 per inmate) or through supervision provided by the Board of Probation and Parole (FY03 average of \$3.15 per offender, per day or an annual cost of \$1,150 per offender).

ASSUMPTION (continued)

In summary, supervision by the DOC through probation or incarceration would result in additional unknown costs to the department. Eight (8) persons would have to be incarcerated per fiscal year to exceed \$100,000 annually. Due to the narrow scope of this new crime, it is assumed the impact would be less than \$100,000 per year for the DOC.

Officials of the **Secretary of State's Office** will have to register voter registration solicitors. Over one million voter registration cards were sent out and the number of participants/volunteers in voter registration drives is large so the number of solicitors would also be large. The cost to the office would be for half an FTE or equivalent dollars for temp agency costs to supply someone for data input - estimated at \$15,000.

The bill also requires the Secretary of State to provide training to each person who will distribute the voter registration applications provided to groups or organizations. We assume that this requirement can be fulfilled by providing a training manual estimated to cost \$2,500.

The bill also requires the Secretary of State to make available a computer-based registration training or other registration training. For purposes of this fiscal note we are assuming that this requirement can be handled through the ongoing maintenance, support and development contract currently in place. However, should this not be possible the Secretary of State's office reserves the right to request funding to complete this requirement.

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 Secretary of State's office for Administrative Rules is less than \$1,500. The Secretary of State's 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 Secretary of State could register solicitors with existing staff.

ASSUMPTION (continued)

Office of the Attorney General did not respond. Oversight assumes any cost associated with this proposal could be defrayed with existing appropriations.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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GENERAL REVENUE FUND

Cost to Secretary of State
 For:

Training Materials	<u>(\$2,500)</u>	<u>(\$2,500)</u>	<u>(\$2,500)</u>
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Total Costs to Secretary of State	<u>(\$2,500)</u>	<u>(\$2,500)</u>	<u>(\$2,500)</u>
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<u>Cost</u> to Department of Corrections For incarceration for election offense	<u>Less than</u> <u>(\$100,000)</u>	<u>Less than</u> <u>(\$100,000)</u>	<u>Less than</u> <u>(\$100,000)</u>
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ESTIMATED NET EFFECT TO GENERAL REVENUE FUND	<u>Less than</u> <u>(\$102,500)</u>	<u>Less than</u> <u>(\$102,500)</u>	<u>Less than</u> <u>(\$102,500)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</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.

DESCRIPTION

Under the act, individuals who request fifty or more voter registration applications who are not deputy registration officials must be 18 and file with the Secretary of State the persons name, address, telephone number, whether the person is making the request on behalf of a group or organization and a description of each group or organization for which the request is made. A

DESCRIPTION (continued)

signed affirmation that the information submitted is true must accompany the filing.

Any person who knowingly signs a name other than his or her own to a voter registration application is guilty of a class one election offense. Such persons will be guilty of a Class B felony. Persons who provide identification to an election official to cast a ballot with the knowledge that the identification is false shall be guilty of a Class B felony. Individuals who willfully and falsely complete any certificate, affidavit or ballot of another individual in relation to absentee ballots are guilty of a Class B felony.

The Secretary of State shall provide computer-based registration training to persons making requests for voter registration applications.

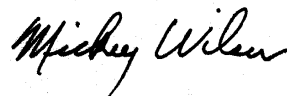
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State - Election Division
Office of Prosecution Services
Office of State Court Administrator
Department of Corrections

NOT RESPONDING

Office of the Attorney General



Mickey Wilson, CPA
Director
March 3, 2006