

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1542-03
Bill No.: HCS for SB 282 with HA 1, HA 2, HA 3, HA 4, and HA1 for HA 5
Subject: Elections; Secretary of State
Type: Original
Date: May 6, 2011

Bill Summary: This proposal modifies numerous laws relating to elections and public contracts.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
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)
Total Estimated Net Effect on General Revenue Fund	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)	\$0 or (Greater than \$7,000,000)

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 17 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	Unknown greater than \$13,500 to (Unknown)	Unknown greater than \$6,000 to (Unknown)	Unknown greater than \$6,000 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Section 33.291 State Contracting

Officials at the **Department of Corrections, Department of Economic Development, Department of Elementary and Secondary Education, Department of Health and Senior Services, Department of Higher Education, Department of Insurance, Financial Institutions and Professional Registration, Department of Mental Health, Department of Natural Resources, Missouri Veterans Commission, Office of the State Auditor, Office of Prosecution Services** and the **Office of the State Courts Administrator** assume that there is no fiscal impact from this proposal.

Officials at the **Office of Administration's Division of General Services** assume this provision would potentially have several implications for the State. First, and perhaps most importantly, a database system and/or a set of procedures would have to be developed to allow the Division of Purchasing and state agencies to ascertain whether the entity contracting with or receiving moneys from the state had "been found guilty of or [had] pled guilty to intentionally or willfully violating any election law, tax law, or immigration law of this state." Even if such information can be obtained through currently available or established resources, this provision would create conflicts with other statutory obligations of the state requiring payment to individuals or entities:

Workers' Compensation Program

Although Section 105.262 RSMo requires compliance with the tax laws as a condition of continued employment with the state, former employees or dependents of former employees may be found guilty of state tax laws but still be owed workers' compensations benefits in accordance with Chapter 287.

Even though we generally control who provides our medical services to injured workers, an administrative law judge may direct that we pay for services from a provider that is selected by the claimant outside our control. The medical providers may not be in compliance with this provision.

Under Chapter 287 RSMo, claimants have the right to be represented by an attorney. The statutes further provided that compensation shall be paid to the attorney upon settlement of a claim. The attorney may not be in compliance.

Legal Expense Fund

Under the waivers of sovereign immunity, the state is obligated to make whole individuals or entities that suffer damages through the negligence of the state or its employees. Third parties who suffer a loss through the actions of the state may not be in compliance. As an example, a state employee negligently hits another driver and damages the vehicle and injures the

ASSUMPTION (continued)

occupant. Under this provision, the state presumably would not settle the damages if the other driver had been found guilty of violating a state tax law.

Courts may award judgments against the state in favor of individuals or entities who are not in compliance with this provision.

Attorney fees may be awarded by the courts to a firm that is not in compliance.

Officials at the **Department of Agriculture** assume that if the applicants can self-certify on their applications that they have not been found guilty of or pled guilty to intentionally or willfully violating any election law, tax law, or immigration law of this state, there would be no impact. However, there could be significant costs, the exact amount of which is unknown, if agencies are required to conduct research on every individual or owner of an entity that is contracted with or provided money by a state agency.

Officials at the **Missouri Department of Transportation** assume this provision is very wide sweeping and it is unclear as to what the state departments should do to verify that the violations have occurred in the past. MoDOT checks multiple areas for the contractors, including whether they owe any taxes and whether they comply with immigration law mandating prohibition of hiring illegal immigrants and participation in a federal program like E-Verify. No procedures are in place for monitoring those who have violated election laws in the past. MoDOT's contracts do contain a paragraph wherein the contractor represents that it will abide by all local, state and federal laws applicable to the contractor and to the contract. MoDOT assumes it could have to hire additional FTE to monitor compliance with this provision. MoDOT assumes an unknown impact to the State Road Fund.

Officials at the **Missouri Department of Conservation** assume unknown costs associated with the requirement to verify the eligibility to do business with the state. This cost could correlate to the value of time spent to run checks on entities doing business with the Department.

Officials at the **Department of Social Services' MO HealthNet Division** assume MO HealthNet contracts with and provides moneys to numerous entities; some examples are hospitals, physicians, information technology companies and managed care companies. It is assumed these entities currently adhere to existing election, tax and immigration law, however, it would be possible for an entity to be in violation of these laws. In most instances additional providers or contract companies could be found to continue providing necessary services. If a contractor was found in violation of these laws a cost may be incurred for finding a new contractor and implementing a new contract. Therefore, there would be a fiscal impact to MHD, but the amount is unknown.

ASSUMPTION (continued)

Officials at the **Department of Social Services' Children's Division (CD)** and **Family Support Division (FSD)** assume it is unclear how this legislation will be monitored and by whom. If the Divisions are required to verify this information, there could be a significant fiscal impact as there are approximately 1,000 FSD contracts and 33,000 CD contracts in effect at any given time. It is unknown how CD will proceed with contracts already in place if the proposed language does not fall under federal statutes which govern when a contract can be terminated. The Children's Division and Family Support Division are assuming an unknown fiscal impact.

Officials at the **Department of Social Services' Division of Finance and Administrative Services (DFAS)** develops and/or reviews all contracts for the Department of Social Services prior to receiving services or making payment to any contracted entity. Currently, DFAS is required to include OA standard language that requires contractors to enroll and participate in the E-Verify federal work authorization program prior to securing any contracting opportunities with DSS. Enrolling in E-Verify certifies the contractor shall only utilize personnel authorized to work in the United States in accordance with applicable federal and state laws. This includes but is not limited to the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and INA Section 274A. This required language and others are developed by OA and distributed to state agencies. It is assumed the provision proposed in this bill would also be a requirement of OA. Therefore, language and verification systems will be developed by OA and distributed to state agencies. DFAS will defer to OA for the development of the verification system.

Officials at the **Department of Revenue (DOR)** assume the Department will be required to do a match with Statewide Advantage for Missouri (SAM II), or alternatively provide the Office of Administration (OA) with a list of anyone convicted of intentionally or willfully violating any tax law. These would be Criminal Investigating Bureau (CIB) cases and CIB would have to provide that information to OA or feed it directly to SAM II, possibly through Computer Assisted Collection System (CACS). We should indicate that there is an assumption that anyone who is imposed additions to tax, or a penalty for intentionally over-collecting for the purpose of receiving a refund, both civil penalties, would not be included in this. It is uncertain how bad checks figure into this legislation. Programming would be required to generate the file and interface with SAM II. DOR assume that the department will need to make programming changes to various tax systems.

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

ASSUMPTION (continued)

Officials at the **Office of the Attorney General** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Oversight assumes that any person doing work for the State would need to meet the qualifications of this bill. Oversight assumes that state contracts already require verification of compliance with these laws that there will not be any impact on the state.

Section 51.050 Clerk of County Commission

In response to similar legislation filed this year, HB 186, officials from the **Office of Secretary of State, Buchanan County** and the **Platte County Board of Election Commission** assume that there is no fiscal impact from this proposal.

Oversight assumes this proposal would have no fiscal impact on the state or local governments.

Section 52.010, 54.033 & 54.330 Collector/Treasurer Candidates

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 78.090 Third Class Cities can eliminate primary elections

In response to similar legislation filed this year, HB 171, the following responded:

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

Officials from the **City of West Plains** assume a savings of up to \$6,000 per election not required. Each year one of the council positions is up for election. The next mayoral election is FY 2012.

Officials from the **City of Monett** state the cost of holding a primary election in February, 2012, would be approximately \$7,500. If the Monett City Commission passed an ordinance to eliminate this primary, assuming that the legislation were to be approved, the savings would be \$7,500.

Oversight assumes that the only cities effected by this legislation are the City of West Plains and the City of Monett.

ASSUMPTION (continued)

Section 115.015 Designation of Election Authority

In response to similar legislation filed this year, HB 373, the following responded:

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

Officials from Jefferson County and St. Charles County did not respond to **Oversight's** request for fiscal impact.

Oversight assumes this proposal is permissive in nature. Therefore, Oversight will not reflect a direct fiscal impact as a result of this proposal.

Section 115.123 & 115.755 Primary Election Date and House Amendment 1 to House Amendment 5

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

In response to similar legislation filed this year, SB 270, officials at the **Johnson County and Kansas City Board of Election Commission** assume that there is no fiscal impact from this proposal.

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 115.124 Elections Not Held due to the number of opens seats matching the number of candidates

In response to similar legislation filed this year, HB 94, the following responded:

Officials at the **Office of the Secretary of State** and the **St. Louis County Board of Election Commission** assume that there is no fiscal impact from this proposal.

Officials at the **Platte County Board of Election Commission** assume if costs of publication outlined in 115.124.1 are not passed onto the municipality, then the cost would be borne by the Board of Election Commission. Cost for the publication would depend on the number of municipalities that would fall into this category at each election. Publication costs currently range from \$200 to \$650 dependent upon the length of the notice.

ASSUMPTION (continued)

No other Local Election Authority responded to **Oversight's** request for fiscal impact. Oversight assumes that any elections not held would be a savings to the Local Election Authorities. **Oversight** has shown an Unknown savings to Local Election Authorities.

Section 115.127 Filing Dates of Elections

Oversight assumes no impact to the state or local election authorities from this proposal.

Section 115.230 Electronic Voter Signature Pads

In response to similar legislation filed this year, HB 217, the following responded:

Officials at the **Buchanan County, Department of Revenue, Office of the Secretary of State** and the **St. Louis County Board of Election Commission** assume that there is no fiscal impact from this proposal.

Officials at the **Platte County Board of Election Commission** assume a savings of \$100 per election from not printing the poll books.

Oversight assumes this proposal does not have an impact on state funds.

Section 115.293 Death of Absentee Voter

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

Section 115.315 & 115.327 Presidential Electors

In response to similar legislation filed this year, HB 796, officials at the **Office of the Secretary of State** assume that there is no fiscal impact from this proposal.

Section 115.342 Candidate Bonding Requirements

Oversight assumes this proposal has no impact on state or local election authority funds.

Section 115.399 & 115.761 Birth certificate for President and Vice President Candidates

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

ASSUMPTION (continued)

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

Section 115.601 Recount

Oversight assumes this proposal has no impact on state or local election authority funds.

Section 115.637 Special Elections

Oversight assumes this proposal has no impact on state or local election authority 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 Elections** 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.

ASSUMPTION (continued)

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.

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 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 and the Jackson County Board of Election Commission did not respond to **Oversight's** request for fiscal impact.

House Amendment 1

Oversight assumes this amendment would have no impact on the state or local government.

House Amendment 2 Sections 26.016, 27.015, 28.190,29.280, 30.060, 30.080, 105.030, 105.040, 105.050 Vacancies in Elected Officials Offices

Officials at the **Office of the Governor** assume no impact as long as there are no statewide elected official vacancies.

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

ASSUMPTION (continued)

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.

House Amendment 3 Section 11.010 Blue Book

Oversight assumes this amendment would have no impact on the state or local government.

House Amendment 4 Section 1 Qualification for candidates for mayor

Oversight assumes this proposal changes the qualifications for a person to run as a candidate and would not have a fiscal impact on the state or local government.

House Amendment 5

Oversight assumes this amendment would have no impact on the state or local government.

Amendment as a Whole

Officials at the **Office of the State Auditor** assume that there is no fiscal impact from the amendments.

Officials at the **Office of the Attorney General** assume that any potential costs arising from the amendments can be absorbed with existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
GENERAL REVENUE			
<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>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<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>
<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
LOCAL ELECTION AUTHORITY FUNDS			
<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	<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>
<u>Costs</u> - cost of special elections	<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>
ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITY FUNDS	<u>Unknown greater than \$13,500</u>	<u>Unknown greater than \$6,000</u>	<u>Unknown greater than \$6,000</u>

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 modifies numerous laws relating to elections and public contracts.

State agencies shall not contract with entities that have violated any election, tax, or immigration laws.

County clerks are required to be residents of the county in which they are elected at least one year prior to the election instead of six months.

County collectors are required to be 21 years old, a resident of the county in which he or she is a candidate for at least one year prior to the election and remain a resident of the county in which he or she is elected throughout his or her term of office. Candidates for such office are required to present the election authority with a signed affidavit from a surety company indicating that the candidate meets the statutory bond requirements for the office.

County collector-treasurers are required to be 21 years old, registered voters, current in the payment of all state income and personal and real property taxes, a resident of the county in which he or she is a candidate for at least one year prior to the election and remain a resident of the county in which he or she is elected throughout his or her term of office. Candidates for such office are required to present the election authority with a signed affidavit from a surety company indicating that the candidate meets the statutory bond requirements for the office.

Collector-treasurers shall have the sole authority to appoint deputies.

Currently, the county commission is required to appoint an interim treasurer in the event of a vacancy of the office except in counties with a charter form of government. This act creates the same exception for counties having a township form of government for the office of

FISCAL DESCRIPTION (continued)

collector-treasurer.

Third class cities are allowed to eliminate primary elections for mayor and councilmen offices.

Under current law, the county clerk or the board of election commissioners is the election authority. This act designates the director of elections as the election authority in charter counties that do not have a board of election commissioners or a county clerk.

The date of the presidential primary is moved from the first Tuesday after the first Monday in February to the first Tuesday after the first Monday in November.

The first Tuesday after the first Monday in February and June are no longer available as dates for public elections.

Currently, elections are not required to be held in nonpartisan elections in political subdivisions and special districts when the number of candidates equals the number of positions to be filled except in municipal elections. This act modifies that exception to only include municipal elections in cities, towns, or villages with more than 35,000 inhabitants. Election authorities are required to publish notice including the names of officials to be seated by April 1 of each year in at least one newspaper of general circulation in the political subdivision or district when those elections are not held.

The filing period for offices filled by elections on the general municipal election day shall be between the first Tuesday in December of the year prior to the election and the first Tuesday after the first Monday in January of the election year. Elections in counties with a charter form of government, except Jefferson county, are excluded from this provision.

Election authorities may use electronic voter identification systems or an electronic signature pad to verify a voter's address, registration status, and signature information at a polling place. The system shall be able to read information from drivers and non-drivers licenses and allow an election authority to manually enter voter information.

This act removes a provision that requires ballots of deceased absentee voters to be rejected when sufficient evidence is shown to the election authority that the voter has died prior to the opening of the polls on election day.

The act repeals the requirement that the petition to form the new party must contain, if presidential electors are to be nominated by petition, the name of at least one qualified resident in

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FISCAL DESCRIPTION (continued)

each congressional district to be a nominee for presidential elector. Alternatively, this information will be provided when filing the respective declarations of candidacy.

Candidates for public office (with the exception of those in special districts, townships, cities, towns, or villages) are required to declare under penalty of perjury that they are not aware of any information that would prohibit the candidate from fulfilling any bonding requirements. Such individuals filing for an election with a bonding requirement shall file an affidavit from a surety company indicating that the candidate meets the bonding requirements for the office with the department of revenue.

When certifying presidential and vice presidential nominees and requesting that such nominees be placed on the ballot, the state committees of each political party shall provide verifiable evidence of identity and proof of natural born citizenship.

Currently, candidates who are defeated by less than 1% and persons whose position on a question was defeated by less than 1% have the right to a recount. This act reduces those thresholds to less than $\frac{1}{2}$ of 1%.

Discouraging, hampering, pressuring, or attempting to prevent another from filing for public office for the purpose of eliminating the requirement to hold special elections in certain instances is established as a class 4 election offense.

Each member of an ambulance district board of directors shall be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings for the recall are commenced by the filing of a notice of intention to circulate a recall petition.

The notice must be served personally, or by certified mail, on the board member and filed with the election authority. A separate notice is needed for each member sought to be recalled and must contain information explaining the reason for the recall. It must list at least one but not more than five proponents of the recall.

Within seven days, the board member may file a statement answering the statement of the proponents. The answer must be served on at least one proponent. The statement and answer are for the voters' informational purposes only.

A member cannot be recalled if he or she: 1) has not held office during the current term for more than 180 days; 2) has 180 days or less remaining on his or her current term; or 3) has had a recall election determined in his or her favor within the current term.

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ASSUMPTION (continued)

The person circulating the petition must sign an affidavit verifying certain information. A recall petition must be filed with the election authority not more than 180 days after the filing of the notice of intention. The number of signatures needed shall equal at least 25% of the number of voters who voted in the most recent gubernatorial election in the election district.

The election authority has twenty days from the date of filing the petition to determine if enough voters signed the petition. It must file a certificate showing whether there are enough signatures. If the election authority certifies the petition does not have enough signatures, it may be supplemented within ten days of the date of certificate. The election authority must then certify the supplemented petition. If it is insufficient, no further action shall be taken.

If the petition is sufficient, the election authority shall submit its certificate to the board of directors and order an election within a certain amount of time. Nominations for board membership openings shall be made by filing a statement of candidacy with the election authority.

Any time prior to forty-two days before the election, the member sought to be recalled may offer his or her resignation and the recall question shall be removed from the ballot and the office declared vacant.

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

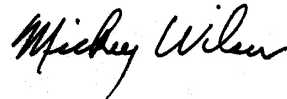
SOURCES OF INFORMATION

Buchanan County
City of Monett
City of West Plains
Department of Agriculture
Department of Corrections
Department of Economic Development
Department of Elementary and Secondary Education
Department of Health and Senior Services
Department of Higher Education
Department of Insurance, Financial Institutions and Professional Registration
Department of Mental Health
Department of Natural Resources
Department of Revenue

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SOURCES OF INFORMATION (continued)

Department of Social Services
Johnson County
Kansas City Board of Election Commission
Missouri Department of Conservation
Missouri Department of Transportation
Missouri Veterans Commission
Office of the Attorney General
Office of Prosecution Services
Office of the State Auditor
Office of the State Courts Administrator
Office of the Secretary of State
Platte County Board of Election Commission
St. Charles Ambulance District
St. Louis County Board of Election Commission



Mickey Wilson, CPA
Director
May 6, 2011