

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0655-04  
Bill No.: HCS for SB 90  
Subject: Political Parties  
Type: Original  
Date: April 17, 2013

---

Bill Summary: This proposal changes the laws regarding elections.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<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 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</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 2014</b>	<b>FY 2015</b>	<b>FY 2016</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 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Local Government</b>	<b>\$0 or Unknown</b>	<b>\$0 or Unknown</b>	<b>\$0 or Unknown</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §§ 52.010, 54.040 and 54.330 - County Treasurer and Collector-Treasurer Candidate Qualifications:

In response to similar legislation from 2013 (HCS for HB 235), officials from the **Office of Secretary of State** and **Boone County Collector** assumed this section of the proposal would not fiscally impact their respective agencies.

**Oversight** assumes there is no direct fiscal impact from this section of the proposal on state or local government funds.

#### § 77.030 - Council Members in 3rd Class Cities:

Officials at the **City of Maryland Heights** assume this section of the proposal could potentially save the City of Maryland Heights \$6,000 biannually or \$30,000 over the next ten years.

**Oversight** assumes this section of the proposal is permissive and dependent upon the passage of an ordinance or ballot proposal.

Officials from the **Office of Secretary of State** assume this section of the proposal would not fiscally impact their agency.

#### § 78.090 - Certain Third Class City Primary Elections:

In response to similar legislation from 2013 (HB 163), officials at the **City of Monett** stated primary elections were held in 2012 and 2008 at an average cost of \$6,056. Neither primary election was needed to reduce the number of candidates required for the general municipal election in April. In the last four primary and general elections (2012, 2008, 2004, 2000), only one actually eliminated a candidate.

In response to similar legislation from 2012 (HB 1250), officials at the **City of West Plains** stated the Office of Mayor and City Councilman have 4 year terms of office. Primary elections are held each year if enough candidates have filed for the elected office. This section of the proposal would allow the city to cancel the primary if two or fewer candidates file for the elected office. The city would realize a savings if the primary is cancelled.

ASSUMPTION (continued)

Officials from the **Office of Secretary of State (SOS)** assume the City of West Plains and the City of Monett are the only two 3<sup>rd</sup> class cities with a commission form of government that have a primary election.

SOS assumes that there is no fiscal impact from this section of the proposal.

**Oversight** assumes the City of West Plains and the City of Monett may or may not choose to have a primary election for the office of mayor and councilman. The respective cities would realize minimal savings, dependent upon the cancellation of the February primary when the number of candidates that file for the office of mayor and councilman does not exceed the number required to proceed to the general election.

**Oversight** assumes this section of the proposal is permissive, and for the purpose of the fiscal note, will show no savings to the City of West Plains and the City of Monett.

§§ 115.003 - 115.493 - Obsolete Election Statutes:

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 section of the 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.

In response to similar legislation from 2013 (HB 199), officials at **Buchanan County, Kansas City Board of Election Commission** and the **Platte County Board of Election Commission** each assumed there is no fiscal impact to their organization from this section of the proposal.

ASSUMPTION (continued)

§ 115.601 - Recount of Votes:

Officials at the **Office of the Secretary of State** assumed there is no fiscal impact to their organization from this section of the proposal.

In response to similar legislation from 2013 (HB 54), **Buchanan County** and the **Platte County Board of Election Commission** each assumed there is no fiscal impact to their organization from this section of the proposal.

In response to similar legislation from 2013 (HB 54), officials at **Johnson County** assumed a recount would cost \$4,000 in staff and judges. However, it is unclear if a recount would ever be necessary.

In response to similar legislation from 2013 (HB 54), officials at the **Kansas City Board of Election Commission** assumed it costs the taxpayers in their jurisdiction between \$10,000 - \$15,000 to conduct a recount. They usually have one recount every two years. By reducing the percentage, the number of recounts and the costs should be cut in half.

In response to similar legislation from 2013 (HB 54), officials at the **St. Louis County Board of Election Commission** assumed that between 2006 and 2012 they had 16 recounts. If this lower percentage had been in place at that time 37% fewer recounts would have occurred for a savings of \$4,900.

It is impossible to determine if recount votes would be needed in the future, therefore, **Oversight** will reflect a \$0 or Unknown savings (recounts not needed due to the provisions of this section of the proposal) to local election authorities.

Officials from numerous cities did not respond to **Oversight's** request for fiscal impact.

Officials from numerous counties did not respond to **Oversight's** request for fiscal impact.

Officials from numerous board of election commissions did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
---	---------------------	---------	---------

**LOCAL ELECTION AUTHORITY FUNDS**

Savings - Local Election Authorities

§ 115.601 - no longer needing to do a recount because of change in percentage	<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>	<u><b>\$0 or Unknown</b></u>	<u><b>\$0 or Unknown</b></u>	<u><b>\$0 or Unknown</b></u>
---	------------------------------	------------------------------	------------------------------

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

§ 115.601 - Recount of Votes:

In a case where a candidate filed or a ballot question was originally filed with the Secretary of State, this proposal changes when the candidate or the person whose position on a ballot question was defeated must be allowed a recount of the votes from a standard requiring the candidate's or the ballot question's defeat by less than 1% of the votes cast to a defeat by less than one-half of 1% of the votes cast.

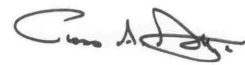
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Secretary of State  
City of Maryland Heights  
City of Monett  
City of West Plains  
Boone County Collector  
Buchanan County  
Johnson County  
Kansas City Board of Election Commission  
Office of the Secretary of State  
Platte County Board of Election Commission  
St. Louis County Board of Election Commission

**Not Responding:**

Numerous Cities  
Numerous Counties  
Numerous Board of Election Commissions



Ross Strope  
Acting Director  
April 17, 2013