

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0609-01  
Bill No.: SJR 4  
Subject: Counties, County Officials; Constitutional Amendments; Elections; St. Louis County  
Type: Original  
Date: January 9, 2017

Bill Summary: This proposal requires the question of whether to recall the county executive to be submitted to voters in St. Louis County.

**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>          |   |            |            |
|--|---|------------|------------|
| FUND AFFECTED  | FY 2018                                   | FY 2019    | FY 2020    |
| General Revenue  | \$0 or (More than<br>\$7,800,000)         | \$0        | \$0        |
| <b>Total Estimated<br/>Net Effect on<br/>General Revenue</b> | <b>\$0 or (More than<br/>\$7,800,000)</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>                      |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2018    | FY 2019    | FY 2020    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on <u>Other</u><br/>State Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                  |                |                |                |
|---|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>  | <b>FY 2018</b> | <b>FY 2019</b> | <b>FY 2020</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 2018</b> | <b>FY 2019</b> | <b>FY 2020</b> |
|   |                |                |                |
|   |                |                |                |
| <b>Total Estimated Net Effect on FTE</b>                  | <b>0</b>       | <b>0</b>       | <b>0</b>       |

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |                |                |                |
|--|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>                       | <b>FY 2018</b> | <b>FY 2019</b> | <b>FY 2020</b> |
| <b>Local Government</b>                    | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Office of the Secretary of State (SOS)** assume 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, §115.063.2, RSMo, requires the state to pay the costs. The cost of the special election has been estimated to be \$7.8 million based on the cost of the 2016 Presidential Preference Primary. This figure was determined through analyzing and totaling expense reports from the 2016 Presidential Preference Primary received from local election authorities.

The SOS 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 SOS 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. Through FY 2013, 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 2015, the General Assembly changed the appropriation so that it was no longer an estimated appropriation. In FY 2017, the SOS was appropriated \$2.6 million to publish the full text of the measures. In FY 2017, at the August and November elections, there were 6 statewide Constitutional Amendments or ballot propositions that cost \$2.4 million to publish (an average of \$400,000 per issue). The SOS will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. 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 again change the amount or continue to not designate it as an estimated appropriation.

ASSUMPTION (continued)

**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 2018. 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. The next scheduled statewide primary election is in August 2018 and the next scheduled general election is in November 2018 (FY 2019). It is assumed the subject within this proposal could be on one of these ballots; 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 2018.

Officials at the **Office of the Governor** assume no fiscal impact from this proposal.

Officials at the **St. Louis County Board of Election Commission** assume no fiscal impact from this proposal.

Officials at St. Louis County did not respond to **Oversight's** request for fiscal impact.

| <u>FISCAL IMPACT - State Government</u>   | FY 2018<br>(10 Mo.)                              | FY 2019           | FY 2020           |
|---|--|-------------------|-------------------|
| <b>GENERAL REVENUE</b>  |  |                   |                   |
| <u>Transfer Out</u> - SOS - reimbursement of local election authority election costs <b>if</b> a special election is called by the Governor for Missouri Constitutional amendment | \$0 or (More than<br><u>\$7,800,000</u> )        | <u>\$0</u>        | <u>\$0</u>        |
| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>  | <b>\$0 or (More than<br/><u>\$7,800,000</u>)</b> | <b><u>\$0</u></b> | <b><u>\$0</u></b> |

| <u>FISCAL IMPACT - Local Government</u>  | FY 2018<br>(10 Mo.)               | FY 2019           | FY 2020           |
|--|-----------------------------------|-------------------|-------------------|
| <b>LOCAL POLITICAL SUBDIVISIONS</b>  |                                   |                   |                   |
| <u>Transfer In</u> - Local Election Authorities - reimbursement of Missouri Constitutional election costs by the State if a special election is called by the Governor | \$0 or More than<br>\$7,800,000   | \$0               | \$0               |
| <u>Costs</u> - Local Election Authorities - cost of a special election if called for by the Governor   | \$0 or (More than<br>\$7,800,000) | <u>\$0</u>        | <u>\$0</u>        |
| <b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</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

This proposed constitutional amendment, if approved by voters, would require that the question of whether to recall the county executive in office on the date of the primary election in August of 2018 must be submitted to voters in St. Louis County. The question must be submitted at the next primary or general election unless none is to be held within 30 days of the adoption of the constitutional amendment. In that case, the question must be submitted within 90 days of the adoption of the constitutional amendment at a special election.

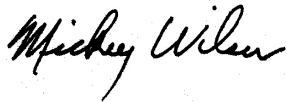
If a majority of voters vote in favor of recall, then the office of county executive becomes vacant immediately upon certification of the results by the Board of Elections. This Senate joint resolution states that the election on the proposed constitutional amendment must occur at the primary election to be held in August of 2018 or a special election called by the Governor.

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

L.R. No. 0609-01  
Bill No. SJR 4  
Page 6 of 6  
January 9, 2017

SOURCES OF INFORMATION

Office of the Secretary of State  
St. Louis County Board of Election Commission  
Office of the Governor



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January 9, 2017

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January 9, 2017