

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4164S.04P
Bill No.: Perfected SS for SB 812
Subject: Constitutional Amendments; Elections; General Assembly; Secretary of State
Type: Original
Date: April 26, 2022

Bill Summary: This proposal modifies provisions relating to elections.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2023	FY 2024	FY 2025
Local Government	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Highway Patrol** and the **Missouri Senate** each assume the proposal will have no fiscal impact on their organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to a previous version, officials from the **Office of the Secretary of State (SOS)** assume 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 \$5,000. 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 proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could require additional resources.

In response to a previous version, officials from the **Missouri House of Representatives, Joint Committee on Administrative Rules, Office of the State Public Defender, Missouri Office of Prosecution Services, and Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations.

Oversight notes that the above mentioned agencies have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

Senate Amendment 2 – Electronic Transfer of Voter Registration

Sections 115.151, 115.160, and 115.960

In response to similar legislation, SCS for SB 654 from 2022, officials from the **Department of Revenue (DOR)** state:

The provisions for electronic transmission of voter registration application data proposed in §115.160 is a program that is already in place between DOR and the SOS. This electronic exchange program was implemented on March 14, 2022.

In response to similar legislation, SCS for SB 654 from 2022, officials from the **St. Louis County Board of Elections** assume the proposed section 115.160.3 will have the DMV electronically transfer voter registrations to the office would save 350 hours of work a year. At the lowest temporary employee salary, this would save \$13,000 annually.

Oversight notes that §115.160.3 states the Director of Revenue shall utilize electronic voter registration application forms and provide for secure electronic transfer of voter registration information to election authorities. As stated above by the St. Louis County Board of Elections there would be a savings as a result of electronic registrations. Therefore, Oversight will reflect an unknown positive impact to local election authorities in the fiscal note due to this provision.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other local election authorities and county clerks were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2023 (10 Mo.)	FY 2024	FY 2025
LOCAL POLITICAL SUBDIVISIONS			
<u>Savings</u> – LEAs - §115.160.3 Electronic registrations p. 4	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

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 various provisions relating to elections.

ELECTRONIC TRANSFER OF VOTER REGISTRATION (SA 2)
(Sections 115.151, 115.160, and 115.960)

This act requires the use of electronic voter registration application forms by the Director of Revenue. The Director must additionally provide for the secure electronic transfer of voter registration information to election authorities in the manner described in the act. Election authorities are required to accept and process such records. All voter registration information sent electronically to the election authorities shall be printed out by the election authorities and retained for a period of at least two years.

The act requires voter registration application forms to be transmitted to the appropriate election authority not later than 3, rather than 5, business days after the form is completed by the applicant.

Any person who, at the time of a transaction with the Division of Motor Vehicle and Drivers Licensing, provides a document that establishes non-citizenship shall not be offered the opportunity to register to vote as part of the transaction.

The act repeals a provision that requires the SOS to maintain a system for accepting voter registration applications electronically.

MAIL-IN BALLOTS AND ABSENTEE VOTING DUE TO COVID-19
(Sections 115.277 to 115.302)

Expired provisions are repealed relating to the use of mail-in ballots for the 2020 general election and absentee voting during the 2020 general election for voters who have contracted COVID-19 or who are at risk of contracting or transmitting COVID-19.

BALLOT SUMMARIES FOR CONSTITUTIONAL AMENDMENTS PROPOSED BY THE GENERAL ASSEMBLY
(Section 116.160)

Under this act, if the General Assembly adopts a joint resolution proposing a constitutional amendment or statutory measure to be referred to the people that includes an official summary statement, the statement shall appear on the ballot, and no court shall have the authority to rewrite or edit the summary statement or ballot language.

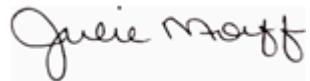
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State

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Office of the State Courts Administrator
Missouri Office of Prosecution Services
Office of the State Public Defender
Missouri House of Representatives
Missouri Senate
Department of Revenue
Joint Committee on Administrative Rules
St. Louis County Board of Elections
Missouri Highway Patrol



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