

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2704S.01I  
Bill No.: SB 707  
Subject: Elections  
Type: Original  
Date: April 14, 2023

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Bill Summary: This proposal requires candidates for representative in the United States House of Representatives to be a resident of the district they wish to represent.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
<b>Total Estimated Net Effect on General Revenue</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 2024</b>	<b>FY 2025</b>	<b>FY 2026</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.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</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 2024</b>	<b>FY 2025</b>	<b>FY 2026</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 \$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.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>
<b>Local Government</b>	<b>(Unknown)</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

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.

Officials from the **Attorney General's Office, Department of Corrections, Missouri Highway Patrol, Office of the State Public Defender, Missouri House of Representatives, Joint Committee on Administrative Rules, Missouri Senate, and Missouri Office of Prosecution Services** 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.

Officials from the **Jackson County Board of Elections** state ballot programming has limitations for characters in a candidate race or questions.

The requirement of 128.370.11 (1), (2), (3) and (4) would exceed the characters allowed in a ballot layout and therefore they know of no ballot programming software that would accommodate the requirements of (1), (2), (3) and (4).

- (1) "Resident of this district at least one year prior 138 to the election" for candidates who can so certify; or, 139
- (2) "Resident of this district at least three months 140 prior to the election" for candidates who can so certify; or,
- (3) "Not a resident in this district at least three 142 months prior to the election" for candidates who can so 143 certify; or, 144
- (4) "Unable to determine residency in district prior 145 to this election".

**Oversight** notes that there could be a potential cost to local election authorities as stated above by the Jackson County Board of Elections if the current ballot programming software is not sufficient enough to meet the requirements of this proposal. Therefore, Oversight will reflect a one-time unknown cost to local election authorities in FY2024.

Officials from the **Platte County Board of Elections** and **St. Louis County Board of Elections** both assume the proposal will have no fiscal impact on their organizations.

**Oversight** only reflects the responses received from state agencies and political subdivisions; however, Office of the State Courts Administrator, 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 2024 (10 Mo.)	FY 2025	FY 2026
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
<b>LOCAL ELECTION AUTHORITIES</b>			
<u>Cost – ballot programming software</u>	<u>(Unknown)</u>	<u>\$0</u>	<u>\$0</u>
<b>NET EFFECT ON LOCAL ELECTION AUTHORITIES</b>	<b><u>(Unknown)</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 act creates residency requirements for candidates for the office of representative in the United States House of Representatives. Specifically, only a resident of a congressional district is permitted to be:

- Elected to serve as the representative of such congressional district;

- Eligible to appear upon a primary election ballot as a printed candidate to secure a party's nomination to be elected to represent such congressional district; and
- Eligible to appear upon the ballot as a printed candidate in an election to represent such district.

In order to be eligible to appear on the ballot in a primary election, be eligible to appear on the general election ballot, or be declared the winner of an election to serve as the representative of a congressional district, a person shall certify his or her status as a resident of the congressional district to the Secretary of State within the time period prescribed by the act.

Any false sworn statement made under this act is considered a false swearing punishable as a class one election offense.

Provisions are included allowing for early filing for the 2024 election cycle as well as expedited legal proceedings in the event of challenging a person's residency within a congressional district.

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  
Attorney General's Office  
Department of Corrections  
Office of the State Public Defender  
Missouri Highway Patrol  
Missouri Office of Prosecution Services  
Joint Committee on Administrative Rules  
Missouri Senate  
Missouri House of Representatives  
Missouri Office of Prosecution Services  
Jackson County Board of Elections  
St. Louis County Board of Elections  
Platte County Board of Elections



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