

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1308S.04C
Bill No.: SCS for SB 62
Subject: Attorney General; County Officials; Elections
Type: Original
Date: February 25, 2025

Bill Summary: This proposal modifies provisions relating to elections.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue*	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue	(Unknown)	(Unknown)	(Unknown)

* **Oversight** could not determine the number of newly registered voters per year; however, Overnight assumes incomplete registrations would be a small proportion of the newly registered voters. Therefore, Oversight does not anticipate the cost would exceed \$250,000.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
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 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Sections 115.013, 115.135, 115.151, 115.155, 115.158, 115.159, 115.160, 115.195, 115.221 and 115.642 – Modifies various provisions relating to elections

Officials from the **Office of the Secretary of State** assume this proposal will have no fiscal impact on their organization.

In response to the previous version, Officials from the **Office of the Secretary of State (SOS)** state this legislation requires all persons registering to vote to provide documentary proof of United States citizenship. Any person who registers by mail and does not provide such proof will receive a mailed notice from the local election authority. This is a new responsibility that must be funded by the state under Article X, Section 21 of the Missouri Constitution. The exact cost of materials and postage that the state must cover is unknown.

Oversight requested additional information from the Office of the Secretary of State but did not receive a response by the time this fiscal note was completed.

Oversight will show a cost to the state for the reimbursement of materials and postage.

In response to the previous version, officials from the Office of **Attorney General's Office (AGO)** stated that using case numbers from the previous year and under the assumption that most cases will be handled by local officials, assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if there are significant increases in litigation, caseload, investigation costs, or other responsibilities relating to the proposal. In the event of such increases, a fiscal note recommending 0.5 AAGs would be necessary and has been added for the convenience of the Oversight Division, the committee, and the General Assembly.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes. If multiple bills pass which require additional staffing and duties at substantial costs, the AGO could request funding through the appropriation process.

Officials from the **St. Louis County Board of Elections (BOE or Board)** state when a voter submits a registration without the proper proof of citizenship, the BOE would be required to send them a letter informing them what additional pieces of information the Board needs. The Board estimates the total cost per letter, when factoring in postage, printing and labor, to be \$1.66 per letter. Requiring proof of citizenship to register to vote could substantially increase the number of incomplete registrations received, thus increasing the number of letters needing to be sent out. If 10,000 voters per year fail to provide proper proof of citizenship when registering to vote, that

would require an additional cost of \$16,600 to send letters. If the number of voters who submit a registration without proper proof of citizenship is increased to 50,000, the cost increases to \$83,000.

Oversight notes the total number of registered voters in Missouri by year below:

2022 – 4,286,342
2020 – 4,338,133
2018 – 4,213,092
2016 – 4,223,787

Oversight could not determine the number of newly registered voters per year; however, Overnight assumes incomplete registrations would be a small proportion of the newly registered voters. Therefore, Oversight does not anticipate the cost would exceed \$250,000. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

Officials from the **Jackson County Election Board** and the **Platte County Board of Elections** assume this proposal will have no fiscal impact on their organizations.

Oversight will reflect the transfer out of General Revenue per Article X, Section 21 of the Missouri Constitution to reimburse the local election authorities.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
Transfer out – SOS- Reimbursement to LEA’s for increase in costs related to voter verification	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
LOCAL ELECTION AUTHORITIES			
<u>Transfer in</u> – from SOS – Reimbursement to LEA’s for an increase in costs related to voter verification	Unknown	Unknown	Unknown
<u>Costs</u> – LEA’s – Increase in costs related to voter verification	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITIES	<u>\$0</u>	<u>\$0</u>	<u>\$0</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.

Voter Registration - Documentary Proof of Citizenship

(Sections 115.013 to 115.160)

The act requires documentary proof of United States citizenship, as that term is defined in the act, in order to register to vote, provided that persons already registered to vote and those seeking to transfer voter registration within the state are not required to provide such proof.

Additionally, all information required to be provided on a voter registration form shall be personally provided by the person seeking to register.

Maintenance of Voter Registration Lists

(Sections 115.158, 115.195, and 115.221)

Currently, the Secretary of State (SOS) and election authorities are required to perform system maintenance on a regular basis. This act requires such maintenance to be performed on a quarterly basis.

The clerk of each circuit court in the state is required to prepare and transmit to the SOS a complete list of all persons who identify themselves as not being citizens of the United States when called to jury duty. This report shall be sent on a monthly basis.

If an election authority determines that a person who is not eligible to vote registered to vote or voted in an election, the election authority shall execute and deliver to the Attorney General, SOS, and the relevant prosecuting or circuit attorney an affidavit stating the relevant facts.

Referral of Violation of Election Laws

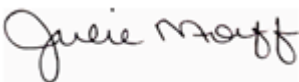
(Section 115.642)

Current law provides that if the SOS finds that reasonable grounds appear that the alleged election offense was committed, the SOS may issue a probable cause statement and refer the offense to the appropriate prosecuting attorney. This act permits referral to the appropriate prosecuting attorney or the Attorney General.

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
Jackson County Election Board
Platte County Board of Elections
St. Louis County Board of Elections



Julie Morff
Director
February 25, 2025



Jessica Harris
Assistant Director
February 25, 2025