

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3197-01  
Bill No.: SB-675  
Subject: Elections: Secretary of State  
Type: Original  
Date: January 28, 2002

**FISCAL SUMMARY**

FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	(\$388,810 to \$5,588,810)	(\$162,168 to Unknown)*	(\$163,562 to \$5,363,562)
Highway	(\$7,650)	(\$9,181)	(\$9,181)
Special Elections	\$205,000	\$0	\$205,000
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$191,460 to \$5,391,460)</b>	<b>(\$171,349 to Unknown)*</b>	<b>\$32,257 to (\$5,167,743)</b>

\* Amount would be in excess of \$5,000,000 if new voting equipment is appropriated.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<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 LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>	<b>Unknown to (Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 8 pages.

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**FISCAL ANALYSIS**

**ASSUMPTION**

Officials of the **Office of State Courts Administrator** assume no fiscal impact to the State's Courts.

Officials of the **Office of Attorney General** assume any additional duties or cost can be absorbed at current appropriation levels.

Officials of the **Office of Secretary of State (SOS)** stated they would need 1 FTE (Grant Officer) to administer the grants program contained in this proposal. Officials estimate costs for 1 Grant Officer with Fringe Benefits and Equipment at \$52,965 for 10 months of FY 2003 at \$52,965; \$56,168 in FY 2004; and \$57,562 in FY 2005. Expenses includes the grant programs which are the following: 1) Updating voting processes and equipment, cost not to exceed \$5,000,000 and is **subject to appropriation**; 2) increasing pay for election Judges, cost on even numbered years, \$0 to \$25,000, and on odd numbered years \$50,000 to \$100,000 and is **subject to appropriation**; and 3) funding requests for advanced voting programs during presidential elections which would be submitted by local election authorities to the Secretary of State, who would then submit them to the Governor. The amount of cost is Unknown due to the variances in the requests to implement advanced voting in each county; 4) youth voting program, costs not to exceed \$100,000, and is **subject to appropriation**; 5) implementing the requirement to present photo ID are  $\$3.00 \times 176,615^* = \$529,845$ . This estimate assumes everyone without a photo ID will obtain a state ID in a 1-year time period; 6) provisional ballot costs are based on an estimated use by counties by providing 5,000 envelopes and forms to local election authorities.

**\*This figure based on numbers from the US Census and Mo. Department of Revenue. First year cost are expected to be \$329,845 in FY 2003; and \$100,000 each FY thereafter.**

**Oversight would point out that Section 115.126.3 states that "No advance voting or other absentee voting program authorized pursuant to this section shall occur when the state has failed to appropriate funds to pay its obligations." Therefore, Oversight will show fiscal impact on advanced voting, and other programs that are "Subject to Appropriation", as \$0 or (a certain amount).**

DESCRIPTION (continued)

Officials of the **Office of Administration (OA)** assume this proposal would have no increase in responsibilities. Officials stated that payments to counties where no filing fee is required for Committeewoman/man races, where there is only one candidate, would be eliminated. For OA, this proposal would affect budgeting for uncontested Committeewoman/man where there is no filing fee. The estimated costs of \$205,000 in even numbered calendar years would be eliminated.

**Oversight will show a savings to the State's Special Elections Fund of \$205,000 in FY's 2003 and 2005.**

Officials of the **Department of Revenue (DOR)** stated that their Customer Assistance Bureau manages operations in the driver license and motor vehicle registration field office. Officials assume the Bureau would require additional funding for postage associated with more frequent mailing of voter registration applications to local election officials, (Section 115.131.3).

DOR officials assume that in order to comply with this legislation and to take into consideration the wide array of office business hours of all the field offices, the Customer Assistance Bureau would require each license office to mail the applications twice per week. Currently, offices mail the applications once per week. Officials estimate the additional cost of postage and supplies for 10 months of FY 2003 at (\$7,650); (\$9181) in FY 2004; and (\$9181) in FY 2005. Officials stated that cost would be to the State's Highway Fund.

Officials of the **Kansas City Board of Election Commission** stated that this proposal provides for a number of new duties. Officials estimate that a 10% increase in costs seems likely. Officials estimate that additional costs could be as much as \$38,750. Officials assume costs would be driven by providing bi-lingual ballots, instructional posters, youth voting, additional locations, and numerous rules for absentee procedure.

Officials of the **Boone County Clerk's Office** stated that this proposal would have fiscal impact to Boone County.

Officials stated that Section I, Provisional Ballot, would increase cost, however, the increase in ballot cost would depend upon the number of ballots cast. Officials estimated that approximately 3,000 or less would be cast during a presidential election. Officials stated their office would have to investigate whether the voter was eligible to vote, therefore, causing employees overtime, and other related costs. Officials stated that costs would depend on the number of provisional ballots casts. The cost is (Unknown).

DESCRIPTION (continued)

Officials stated that there would be savings realized from the following changes:

- 1) Section 115.613- Removing uncontested County Committee races from the ballot. Officials estimate the there would be savings to the state of approximately \$10,000, and Boone County would realize savings of approximately \$8,000.
  
- 2) Section 115.081- Changing the number of Judges at the polling place would provide some savings. Officials stated that under current practices, if they need more than 4 workers they would have to provide 6 workers. This proposal would allow more flexibility and would allow us to use 5. Similarly, if the county would need more than 6 workers, the county would have to use 8 additional workers. At approximately \$100 per worker the county would save a considerable amount over the course of 4 or 5 elections in a year.
  
- 3) Section 115.163- Authorizing use of NCOA program. This cuts mailing costs for undeliverable mail from .33 to .15. Savings, (based on prior mailings of approximately 4,000 letters every 2 years), to Boone County would be approximately \$720. Boone County has a highly mobile population.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
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**GENERAL REVENUE FUND**

Cost to Secretary of State

Personal Service (1 FTE)	(\$33,354)	(\$41,025)	(\$42,050)
Fringe Benefits	(\$12,011)	(\$14,773)	(\$15,142)
Equipment	(\$7,600)	(\$370)	(\$370)
Expense:			
Photo ID (Section 115.427)	(\$329,845)	(\$100,000)	(\$100,000)
Provisional Ballot forms (Section 1)	(\$6,000)	(\$6,000)	(\$6,000)
Grant-Youth Voting Program * (Section 115.801)	\$0 to (\$100,000)	\$0 to (\$100,000)	\$0 to (\$100,000)
Grant-Election Equipment * (Section 115.074)	\$0 to(\$5,000,000)	\$0 to(\$5,000,000)	\$0 to (\$5,000,000)
Grant-Election Judges Pay * (Section 115.102)	\$0 to (\$100,000)	\$0 to (\$25,000)	\$0 to (\$100,000)
Advanced Voting Program* (Section 115.126)	<u>\$0</u>	<u>(\$0 to Unknown)</u>	<u>\$0</u>

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>Total</b> Costs to Secretary of State	<u>(\$388,810 to \$5,588,810)</u>	<u>(\$162,168 to Unknown)</u>	<u>(\$163,562 to \$5,363,562)</u>

**\* SUBJECT to APPROPRIATION**

**SPECIAL ELECTIONS FUND**

<u>Savings</u> to Office of Administration Committeewoman/man elections	<u>\$205,000</u>	<u>\$0</u>	<u>\$205,000</u>
<b>ESTIMATED NET EFFECT TO SPECIAL ELECTIONS FUND</b>	<b><u>\$205,000</u></b>	<b><u>\$0</u></b>	<b><u>\$205,000</u></b>

**HIGHWAY FUND**

<u>Cost</u> to Department of Revenue for postage and supplies (Section 115.151)	<u>(\$7,650)</u>	<u>(\$9,181)</u>	<u>(\$9,181)</u>
<b>ESTIMATED NET EFFECT TO HIGHWAY FUND</b>	<b><u>(\$7,650)</u></b>	<b><u>(\$9,181)</u></b>	<b><u>(\$9,181)</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
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**LOCAL ELECTION AUTHORITIES COUNTIES**

Income to Counties

for reimbursement from SOS for:

Election Equipment (Section 115.074)*	\$0 or \$5,000,000	\$0 or \$5,000,000	\$0 or \$5,000,000
Election Judges Pay (Section 115.102)*	\$0 or \$100,000	\$0 or \$25,000	\$0 or \$100,000
Advanced Voting (Section 115.126)*	\$0	\$0 or Unknown	\$0

FISCAL IMPACT - Local Government

FY 2003  
(10 Mo.)

FY 2004

FY 2005

**Savings** to Certain Counties

from:

Section 115.613- Committeewoman/man  
 uncontested race  
 Section 115.081- Judges required  
 Section 115.163- Authorizing use of  
 NCOA program

Unknown  
 Unknown  
 Unknown

Unknown  
 Unknown  
 Unknown

Unknown  
 Unknown  
 Unknown

**Cost** to Counties

from providing election items:

Administrative Impact from additional  
 duties contained herein.

(Unknown)

(Unknown)

(Unknown)

Election Equipment \*

\$0 or  
 (\$5,000,000)

\$0 or  
 (\$5,000,000)

\$0 or  
 (\$5,000,000)

Election Judges Pay Increase \*

\$0 or  
 (\$100,000)

\$0 or (\$25,000)

\$0 or  
 (\$100,000)

Advanced Voting Program \*

\$0

\$0 or

\$0

(Unknown)

**ESTIMATED NET EFFECT TO  
 LOCAL GOVERNMENTS**

**Unknown to**  
**(Unknown)**

**Unknown to**  
**(\$Unknown)**

**Unknown to**  
**(\$Unknown)**

**\* SUBJECT TO STATE  
 APPROPRIATION**

FISCAL IMPACT - Small Business

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

DESCRIPTION

This act modifies numerous election law provisions.

The act prohibits any person from being a candidate for municipal office if such person has failed

DESCRIPTION (continued)

to pay municipal taxes or user fees.

The definition of electronic voting is expanded to include computerized voting systems.

In jurisdictions with a board of election commissioners, the act changes the composition of the board to add a non-voting representative from each major political party to participate in discussions of the board.

Provisions relating to the composition and party affiliation of election judges are modified. Additionally, election judges will no longer count ballots based on the voter's intent.

The act prohibits any employer from taking an adverse action against an employee based on the employees service as an election judge. Election authorities would establish an early voting system and the cost would be subject to appropriation.

Voter registration agencies are required to transmit all voter registration applications to the appropriate election authority within five business days.

Certain individuals are exempted from the public disclosure of their residential addresses.

The Secretary of State would promulgate rules to allow the use of a computerized voting systems, rules to create uniform standards for ballot counting, and may develop multilingual sample ballots and instructions.

The Secretary of State would oversee elections and ensure election laws are enforced.

The Secretary of State would have subpoena power in order to determine if election law violations have occurred.

The ability to cast absentee ballots in certain situations is expanded.

Butterfly ballots shall not be used without prior approval from the Secretary of State.

Currently, it is a criminal misdemeanor to conduct certain types of activities within 25 feet of a polling place. The act changes the distance to 50 feet. The act creates an additional criminal misdemeanor for certain public employees who electioneer while wearing some object or clothing which identifies them as a public employee.

The Attorney General would have authority to prosecute allegations of election irregularity and

DESCRIPTION (continued)

fraud.

The act establishes a system of provisional voting in cases where the eligibility of a voter cannot be immediately established.

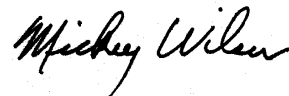
Numerous matching grants of up to five million dollars are created for election authorities to upgrade and improve the voting process or equipment, which would be subject to appropriation.

This proposal would increase the compensation of election judges to at least seven dollars per hour, which would be subject to appropriation.

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  
Office of Attorney General  
Office of State Courts Administrator  
Office of Administration  
Boone County Clerk  
Kansas City Board of Election Commission



Mickey Wilson, CPA  
Acting Director  
January 28, 2002