

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3197-14  
Bill No.: HCS for SS for SCS for SB 675  
Subject: Elections: Secretary of State  
Type: Corrected  
Date: May 2, 2002  
 # Corrected to reflect math error and Secretary of State Statement:

---

**FISCAL SUMMARY**

FISCAL SUMMARY			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue #	\$96,302	(\$112,358)	(\$679,172 to \$1,120,172)
Highway	(\$7,650)	(\$9,181)	(\$9,181)
<b>Total Estimated Net Effect on <u>All</u> State Funds #</b>	<b>\$88,652</b>	<b>(\$121,539)</b>	<b>(\$688,353 to \$1,129,353)</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Grants	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> Federal Funds *</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* Federal grant monies would have a net fund balance of \$0 after distribution.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
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 9 pages.

---

## 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 2 FTE (Grant Officers) to administer the grants program contained in this proposal. Officials estimate costs for 2 Grant Officers with Fringe Benefits and Equipment at \$98,698 for 10 months of FY 2003; \$112,358; in FY 2004; and \$115,172 in FY 2005. Expenses includes **1)** a grant program which provides for federal funds to election authorities to purchase accessible voting equipment for individuals with disabilities or special needs, and would be **subject to appropriation; 2)** Federal grant for increasing pay for election judges, and would be **subject to appropriation; 3)** funding request for advanced voting programs during Presidential elections which cost estimates would be submitted local election authorities to the Secretary of State, who would then submit them to the Governor. The amount of costs is estimated as follows: Jackson County (215,574 registered voters in 2000) \$20,000; St. Louis County (726,325 registered voters in 2000) \$67,000 and the 112 remaining counties @ \$6,000 apiece \$672,000 **for a total cost of \$759,000 in FY 2005. 4)** federal funds for youth voting program, which is **subject to appropriation**, and cost is unknown; **5)** provisional ballot costs are based on an estimate used by counties. Costs are estimated to be **\$10,000 in even numbered years.**

**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 the costs. Therefore, Oversight will show fiscal impact on advanced voting, and other programs that are "Subject to Appropriation", as \$0 to (a certain amount).**

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the SOS authority to promulgate rules, regulations, and forms. SOS estimates the division could require approximately 28 new pages of regulations in the Code of State Regulations at a cost of \$27.00 per page, and 42 new pages in the Missouri Register at a cost of \$23.00 per page. Costs due to this proposal are estimated to be \$1,687, however, the actual fiscal impact would be dependent upon the actual rule-making authority and may be more or less. Financial impact in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn. SOS does not anticipate the need for additional staff as a result of this proposal.

ASSUMPTION (continued)

SOS officials estimate cost of publication of rules and regulations for FY 2003 at \$615; and indeterminable in FY 2004, and 2005. Costs in FY 04, and 05 will be shown as (Unknown), but would not be expected to exceed \$100,000 in a given year. Officials stated that cost would be paid from federal grant monies.

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 General Revenue Fund of \$205,000 in FY's 2003 and 2005.**

OA officials stated that there would be costs associated with (Section 115.126.3) Early Voting. Officials assume based on news articles, quoted in February 6, 2001 Columbia Missourian, that costs of early voting would range from \$600,000 to \$3,960,000. Officials estimated costs to St. Louis County at \$2,800,000, Jackson County at \$20,000 and the rest of the state's counties at \$1,140,000.

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 115.151.3).

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.

ASSUMPTION (continued)

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). Section 115.287 would generate per election costs of \$250 to \$1,200.

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.
- 4) Section 115.077- \$25,000 to \$50,000 savings based on 2000 election.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>GENERAL REVENUE FUND</b>			
<b><u>Savings</u> to Office of Administration</b>			
Committeewoman/man election costs (Section 115.617)	<u>\$205,000</u>	<u>\$0</u>	<u>\$205,000</u>
<b><u>Total</u> Savings to Office of Administration</b>	<b><u>\$205,000</u></b>	<b><u>\$0</u></b>	<b><u>\$205,000</u></b>
<b><u>Income</u> to Secretary of State</b>			
from Federal Grants **	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<b><u>Cost</u> to Secretary of State</b>			
Personal Service (2 FTE) #	(\$66,707)	(\$82,050)	(\$84,101)
Fringe Benefits #	(\$24,021)	(\$29,546)	(\$30,285)
Equipment	(\$7,970)	(\$762)	(\$786)
Expense:			
Promulgate Rules Publication Cost	(\$615)	(Unknown)	(Unknown)
Federal Grant **.			
Provisional Ballot forms (Section 1) #	(\$10,000)	\$0	(\$10,000)
Grant-Youth Voting Program (Section 115.801) Federal Grant**	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Grant-Election Equipment (Section 115.074 and 115.076) Federal Grant**	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Grant-Election Judges Pay (Section 115.098) Federal Grant**	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Advanced Voting Program (Section 115.126) General Revenue*#	<u>\$0</u>	<u>\$0</u>	<u>(\$759,000 to \$1,200,000)</u>
<b>Total Costs to Secretary of State</b>	<b><u>(\$108,698)</u></b>	<b><u>(\$112,358)</u></b>	<b><u>(\$884,172 to \$1,325,172)</u></b>
<b>ESTIMATED NET EFFECT TO GENERAL REVENUE FUND</b>	<b><u>\$96,302</u></b>	<b><u>(\$112,358)</u></b>	<b><u>(\$679,172 to \$1,120,172)</u></b>

\* Subject to Appropriation

\*\* Federal Grant money should net to  
\$0

FISCAL IMPACT - State Government                      FY 2003                      FY 2004                      FY 2005  
 (10 Mo.)

**HIGHWAY FUND**

**Costs** to Department of Revenue  
 for postage and supplies (Section  
 115.151.3)                      (\$7,650)                      (\$9,181)                      (\$9,181)

**ESTIMATED NET EFFECT TO  
 HIGHWAY FUND**                      **(\$7,650)**                      **(\$9,181)**                      **(\$9,181)**

FISCAL IMPACT - Local Government                      FY 2003                      FY 2004                      FY 2005  
 (10 Mo.)

**LOCAL ELECTION AUTHORITIES  
 COUNTIES**

**Income** to Counties  
 for reimbursement from SOS for:

Election Equipment (Section 115.074 & 115.076)**	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Election Judges Pay (Section 115.102)**	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Advanced Voting (Section 115.126)* #	\$0	\$0	(\$759,000)
Youth Voting (Section 115.801) **	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

**\*\* Federal Grant- Subject to  
 Appropriation**  
**\* Subject to Appropriation**

**Savings** to Certain Counties  
 from:

Section 115.613- Committeewoman/man uncontested race	Unknown	\$0	Unknown
Section 115.081- Judges required	Unknown	Unknown	Unknown
Section 115.163- Authorizing use of NCOA program	Unknown	Unknown	Unknown

**Cost** to Election Authorities  
 from providing election programs:

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
Administrative Impact from additional duties contained herein.	(Unknown)	(Unknown)	(Unknown)
Election Equipment **	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Election Judges Pay Increase **	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
Advanced Voting Program * #	\$0	\$0	(\$759,000)
Youth Voting (Section 115.801) **	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT TO LOCAL GOVERNMENTS ***</b>	<b><u>Unknown to (Unknown)</u></b>	<b><u>Unknown to (Unknown)</u></b>	<b><u>Unknown to (Unknown)</u></b>

\* Subject to Appropriation

\*\* Federal Grant- Subject to Appropriation

\*\*\* Federal Grants income and costs would have a net effect of \$0

#Correction

FISCAL IMPACT - Small Business

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

DESCRIPTION

This substitute makes numerous changes to the election laws. In its main provisions, the substitute:

- (1) Allows computerized voting systems to be certified for use in Missouri;
- (2) Allows independent and third party members to serve as election judges;
- (3) Prohibits employers from firing or disciplining employees appointed as election judges. These employees may be absent from work for the amount of time that the election authority requires their service as election judges. Employees discharged in violation of this section may bring a civil action against the employer for lost wages, reinstatement, and attorney fees;

DESCRIPTION (continued)

- (4) Allows caretakers of the disabled and elderly to vote by absentee ballot;
- (5) Subject to appropriation, provides state grants for election judge compensation, for youth voting programs, and to upgrade local election equipment, including accessible voting equipment;
- (6) Removes uncontested party committee races from ballots;
- (7) Closes certain voter registration records by court order if the voter's safety is at issue;
- (8) Allows international election observers;
- (9) Allows persons in federal service to return absentee ballots by electronic means;
- (10) Prohibits use of the butterfly ballot except in certain circumstances;
- (11) Requires that voting instructions be clearly posted at all polls;
- (12) Gives local election authorities in jurisdictions with less than 750 registered voters the option to mail out sample ballots to voters. Current law only allows this in jurisdictions with less than 500 registered voters;
- (13) Extends the time period allowed for testing voting equipment from five to 14 days, but within 21 days in counties of the first classification or with a charter form of government that have established a board of election commissioners;
- (14) Requires all election authorities to establish an advance voting period for presidential elections, which will begin 14 days before an election and end on the Wednesday immediately before an election. The election authority must establish and post the hours and locations for advance voting;
- (15) Requires voter registration agencies under the National Voter Registration Act to submit registration applications within five days of completion of the registration form;
- (16) Requires election authorities to accept absentee ballot applications by facsimile transmission;



DESCRIPTION (continued)

(17) Prohibits certain persons who register to vote by mail from voting by absentee ballot until they have first voted in person and presented proper identification at a polling place;

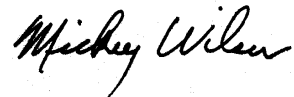
(18) Allows the Secretary of State to develop multilingual sample ballots and voting instructions; and

(19) Establishes provisional voting.

The substitute has an emergency clause applying to the provision on party committee races.

SOURCES OF INFORMATION

Office of Secretary of State  
Office of Attorney General  
Office of State Courts Administrator  
Office of Administration-Division of Budget and Planning  
Department of Revenue  
Boone County Clerk  
Kansas City Board of Election Commission



Mickey Wilson, CPA  
Acting Director  
May 2, 2002