COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.:   1769-01
Bill No.:   HB 681
Subject: Attorney General, State; Elections; Governor and Lt. Governor; Secretary of
               State; Treasurer, State
Type: Original
Date: February 23, 2009

Bill Summary: This proposal provides for special elections to fill vacancies in the offices
                   of Lieutenant Governor, Attorney General, Secretary of State, State
                   Auditor, and State Treasurer.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	$0 or ($1,200,000)	$0 or ($1,200,000)	$0 or ($1,200,000)
Total Estimated Net Effect on General Revenue Fund	**$0 or ($1,200,000)**	**$0 or ($1,200,000)**	**$0 or ($1,200,000)**

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on Other State Funds	**$0**	**$0**	**$0**

Numbers within parentheses: ( ) indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	**$0**	**$0**	**$0**

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on FTE	**0**	**0**	**0**

☐ Estimated Total Net Effect on All funds expected to exceed $100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed $100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Local Government	**$0**	**$0**	**$0**

JH:LR:OD

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the Secretary of State** assume if a special election is called rather than being voted on at a general election, the cost of the special election has been estimated to be $1.2 million based on the cost of the past two such elections.

Officials at the **Office of the Attorney General** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials at the **Office of the State Auditor** assume that there is no fiscal impact from this proposal.

Oversight assumes that if a special election is needed to fill one of the vacant statewide office holders positions then the election would cost $1.2 million. If no election is needed then there is no cost. Oversight has shown this as "$0 or $1.2 million".

FISCAL IMPACT - State Government	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE FUND			
Cost - Secretary of State Election Div.			
special election cost	$0 or ($1,200,000)	$0 or ($1,200,000)	$0 or ($1,200,000)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	**$0 or ($1,200,000)**	**$0 or ($1,200,000)**	**$0 or ($1,200,000)**

FISCAL IMPACT - Local Government	FY 2010 (10 Mo.)	FY 2011	FY 2012
	$0	**$0**	**$0**

FISCAL IMPACT - Small Business

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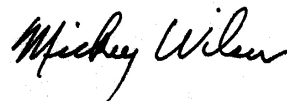
JH:LR:OD

FISCAL DESCRIPTION

Currently, most statewide offices, except for the Office of the Governor, allow for gubernatorial appointments in the case of a vacancy in the office. This bill requires special elections to be held in the case of vacancies in the offices of the Lieutenant Governor, Attorney General, Secretary of State, State Auditor, and State Treasurer. If there is an impeachment proceeding for one of these officers, the Governor will temporarily administer the duties of the office until the trial; and if there is a conviction, the special election process will be used to fill the vacancy.

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 Attorney General
Office of the State Auditor
Office of the Secretary of State

Mickey Wilson, CPA
Director
February 23, 2009

JH:LR:OD