

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1044H.01I
 Bill No.: HB 781
 Subject: Elections; Political Parties
 Type: Original
 Date: January 31, 2023

Bill Summary: This proposal removes requirements for party affiliation and closed primaries.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
General Revenue	Up to \$573,584	Up to \$1,725,122	Up to \$551,852
Total Estimated Net Effect on General Revenue	Up to \$573,584	Up to \$1,725,122	Up to \$551,852

*Savings for no longer having a need for additional poll workers to coordinate the party selection process.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
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 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
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 2024	FY 2025	FY 2026
Local Government	Unknown	Unknown	Unknown

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Secretary of State (SOS)** assume this bill would eliminate the need for additional poll workers to coordinate the party selection process. They estimated a need for at least two additional poll workers (one from each party) at each of the 2,326 polling places statewide (as of the 2020 presidential election). Using an estimate of \$125 as the average poll worker stipend (based on a previous survey of local election authorities), SOS estimated at least \$581,500 in state funds would be required to pay the poll workers operating the devices bearing the software for each election. These poll worker stipends were to be paid twice in FY25 for the 2024 primary and general elections as well as once to each fiscal year to cover the 2024, 2025, and 2026 municipal elections.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the impact of Up to \$581,500 in FY24 and FY26 and up to \$1,744,500 in FY25 as estimated by the SOS in the fiscal note.

Oversight notes that Truly Agreed To and Finally Passed SS for SCS for HB 1878 from 2022, officials from **SOS** stated the requirement for each voter to be affiliated with a political party on their voter registration (or be recorded as unaffiliated) would require significant amendment to the Missouri Centralized Voter Registration Database to allow for the electronic data field "Party Affiliation" to be added along with internal processing, data table linking, sorting, searching and reporting modifications. These changes would have an estimated one-time cost of \$700,000 for seven (7) technical resources paid \$100 dollars per hour for 1,000 hours each in FY23. The SOS has already implemented these changes, therefore **Oversight** agrees there will be no cost to SOS to revert the changes to no longer include political party affiliation.

Officials from the **Department of Corrections (DOC)** assume the proposal removes requirements for party affiliation and closed primaries. Subsection (27) is added to section 115.631 to introduce a new class B felony offense for disseminating personal information of the family of an election official.

Given the seriousness of class B felony offenses and that the introduction of a completely new class B felony offense is a rare event, the department assumes the admission of one person per year for each new class B felony.

Offenders committed to prison with a class B felony as their most serious sentence had an average sentence length of 9.0 years and served, on average, 3.4 years in prison prior to first release. The department assumes one third of the remaining sentence length will be served in prison as a parole return, and the rest of the sentence will be served on supervision in the community.

The cumulative impact on the department is estimated to be 5 additional offenders in prison and 4 additional offenders on field supervision by FY 2032.

Change in prison admissions and probation openings with legislation

	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032
New Admissions										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
Probation										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	0	0	0	0	0	0	0	0	0	0
Change (After Legislation - Current Law)										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations										
Cumulative Populations										
Prison	1	2	3	4	5	5	5	5	5	5
Parole						1	2	3	4	4
Probation										
Impact										
Prison Population	1	2	3	4	5	5	5	5	5	5
Field Population						1	2	3	4	4
Population Change	1	2	3	4	5	6	7	8	9	9

* If this impact statement has changed from statements submitted in previous years, it could be due to an increase/decrease in the number of offenders, a change in the cost per day for institutional offenders, and/or an increase in staff salaries.

If the projected impact of legislation is less than 1,500 offenders added to or subtracted from the department's institutional caseload, the marginal cost of incarceration will be utilized. This cost of incarceration is \$26.024 per day or an annual cost of \$9,499 per offender and includes such costs as medical, food, and operational E&E. However, if the projected impact of legislation is 1,500 or more offenders added or removed to the department's institutional caseload, the full cost of incarceration could be used, which includes fixed costs. This cost is \$87.46 per day or an annual cost of \$31,921 per offender and includes personal services, all institutional E&E, medical and mental health, fringe, and miscellaneous expenses. None of these costs include construction to increase institutional capacity.

DOC's cost of probation or parole is determined by the number of P&P Officer II positions that are needed to cover its caseload. The DOC average district caseload across the state is 51 offender cases per officer. An increase/decrease of 51 cases would result in a cost/cost avoidance equal to the salary, fringe, and equipment and expenses of one P&P Officer II. Increases/decreases smaller than 51 offender cases are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC could use the average caseload figure for that specific type of offender to calculate cost increases/decreases.

	# to prison	Cost per year	Total Costs for prison	# to probation & parole	Cost per year	Total cost for probation and parole	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	1	(\$9,499)	(\$7,916)	0	\$0	\$0	(\$7,916)
Year 2	2	(\$9,499)	(\$19,378)	0	\$0	\$0	(\$19,378)
Year 3	3	(\$9,499)	(\$29,648)	0	\$0	\$0	(\$29,648)
Year 4	4	(\$9,499)	(\$40,322)	0	\$0	\$0	(\$40,322)
Year 5	5	(\$9,499)	(\$51,410)	0	\$0	\$0	(\$51,410)
Year 6	5	(\$9,499)	(\$52,438)	1	\$0	\$0	(\$52,438)
Year 7	5	(\$9,499)	(\$53,487)	2	\$0	\$0	(\$53,487)
Year 8	5	(\$9,499)	(\$54,557)	3	\$0	\$0	(\$54,557)
Year 9	5	(\$9,499)	(\$55,648)	4	\$0	\$0	(\$55,648)
Year 10	5	(\$9,499)	(\$56,761)	4	\$0	\$0	(\$56,761)

Oversight does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's estimated impact for fiscal note purposes.

Officials from the **Attorney General's Office, Missouri Highway Patrol, Missouri Office of Prosecution Services, Office of the State Courts Administrator, and Office of the State Public Defender** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Jackson County Board of Elections, Platte County Board of Elections, St. Louis City Board of Elections, Greene County Clerk's Office, and St. Louis County Board of Elections** each assume the proposal will have no fiscal impact on their respective organizations.

Oversight assumes there could be a decreased cost to local election authorities (LEA) in order to revert changes made to implement party affiliations from Truly Agreed To and Finally Passed SS for SCS for HB 1878 from 2022. Oversight cannot determine the amount, as each local election authority varies in what was required to designate or change party affiliation during a given cycle, therefore will reflect an unknown savings to local election authorities.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
GENERAL REVENUE FUND			
<u>Savings</u> – SOS §115.155 no longer need for additional poll workers p. 3	Up to \$581,500	Up to \$1,744,500	Up to \$581,500
<u>Cost</u> – DOC §115.631.27 p. 5	(\$7,916)	(\$19,378)	(\$29,648)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	Up to <u>\$573,584</u>	Up to <u>\$1,725,122</u>	Up to <u>\$551,852</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
LOCAL POLITICAL SUBDIVISIONS			
<u>Savings</u> – LEA Repeal requirement for political party affiliation to voters	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This bill repeals the requirement that voters register a political party affiliation when registering to vote, or otherwise be marked unaffiliated. Voter registration applications and voter identification cards are updated accordingly.

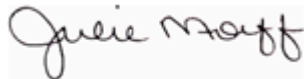
The bill provides that a government entity does not have to register with the Secretary of State in order to solicit voter registration applications.

This bill adds dissemination of personal information of an election official or his or her family with the intent to harass, intimidate, or influence the performance of their duties to the list of class one election offenses.

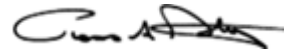
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Attorney General's Office
Missouri Highway Patrol
Department of Corrections
Office of the State Public Defender
Missouri Office of Prosecution Services
Office of the State Courts Administrator
Jackson County Board of Elections
Platte County Board of Elections
St. Louis City Board of Elections
St. Louis County Board of Elections
Greene County Clerk's Office



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