

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 6541**  
**BILL NUMBER: SB 109**

**DATE PREPARED:** Dec 4, 1998  
**BILL AMENDED:**

**SUBJECT:** Various elections matters.

**FISCAL ANALYST:** Beverly Holloway  
**PHONE NUMBER:** 232-9851

**FUNDS AFFECTED:**  **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill makes the following changes in election law:

- (1) Amends the definition of "auxiliary party organization".
- (2) Allows a precinct election officer to be appointed by a county election board when a county chairman fails to nominate an individual for the precinct office. Removes references to the officer being "of the opposite political party" in other statutes that do not recognize this procedure.
- (3) Permits a county chairman to nominate, and a county election board to appoint, a precinct election officer to serve a term that expires at noon, or begins at noon, on election day. (Current law does not provide for the appointment of a precinct election officer for a part of an election day.)
- (4) Provides that an employee of or volunteer in a county voter registration office or a city or town office providing full service voter registration may not engage in certain activity prohibited by current law in other full service voter registration offices.
- (5) Provides that a person convicted of a crime and imprisoned before conviction and sentenced to time served is deprived of the right of suffrage as are persons who are convicted of a crime and imprisoned after conviction.
- (6) Requires a person who requests 10,000 or more voter registration forms to submit a voter registration program plan. (Under current law, the co-directors of the election division may require submission of a plan.)
- (7) Requires that a person preparing an absentee ballot application for a voter state the person's name on the absentee ballot application.
- (8) Makes several changes relating to challenging the eligibility of an individual to be a candidate.
- (9) Makes technical changes in statutes relating to filing petitions of nomination and the filing of certificates of nomination of candidates and certificates of election of delegates to party conventions.
- (10) Makes several changes in campaign finance law, including the following:
  - (a) Provides that campaign finance reporting requirements do not apply to candidates for a local office that has an annual compensation of less than \$10,000. (Under current law, the annual compensation threshold is \$5,000.)
  - (b) Provides for administrative disbanding of a committee.

- (c) Makes various changes regarding filing campaign finance reports.
  - (d) Repeals the existing large contribution reporting statute and replaces it with a large contribution statute based on federal law. Provides that a large contribution report may be filed by fax.
  - (e) Provides for the application of campaign finance laws to individuals who fill candidate vacancies.
  - (f) Requires electronic submission of campaign finance reports to conform to formats approved by the Election Commission and other standards.
  - (g) Specifies campaign finance report filing deadlines.
  - (h) Provides that the campaign finance computer data base must have campaign finance reports for calendar years 1997 and 1998 in searchable and digital form, and the reports must be available on the Internet after December 31, 1998, but before January 1, 2000.
  - (I) Specifies that legislative caucus committees and national party affiliate committees are political action committees through December 31, 1997.
  - (j) Specifies reporting requirements under the 1997 campaign finance amendments for reports required during 1997.
  - (k) Repeals the definition of national party affiliate committee and another obsolete statute.
- (11) Makes changes to the formatting of ballots, including removing the requirement that a political party device must be printed on the primary election ballot for the party.
- (12) Makes several changes in election challenge, recount, and contest procedures, including payment of recount and contest expenses. Makes an annual appropriation from the State General Fund to the State Recount Commission of amounts necessary to pay expenses of recounts.
- (13) Provides that a criminal statute providing penalties for certain actions to influence a voter applies to the same actions intended to influence a candidate.
- (14) Provides that an appointed deputy of a person who holds a local office does not hold a lucrative office.
- (15) Makes technical changes in filings of declarations of candidacy and statements of economic interests by candidates for judicial offices.
- (16) Provides that a reference in an ordinance to the boundary of a political subdivision, a precinct boundary, or an election district boundary refers to the precinct or boundary as the precinct or boundary existed on the date of adoption of the ordinance.
- (17) Makes other technical changes in election law.
- (18) Appropriates \$10,000 from the state General Fund to the State Recount Commission to pay claims timely submitted for reimbursement of expenditures for an election recount or contest conducted by the commission after January 1, 1986, and before January 1, 1999. Provides that such a claim must be submitted not later than noon August 1, 1999.
- (19) Repeals a statute relating to voter registration applications of individuals less than 18 years of age. Repeals statutes relating to ballot messengers. Repeals other obsolete statutes.

**Effective Date:** Upon passage; July 1, 1997 (retroactive); January 1, 1998 (retroactive); January 1, 1999. (retroactive); July 1, 1999.

**Explanation of State Expenditures:** (7), (8) and (10)(d) Requires a form prescribed by the Election Commission. This can be done within the existing budget of the Election Commission, an additional General Fund appropriation is not required.

(10)(b) This provision would allow the Election Commission to disband an inactive committee which in turn would reduce staff time and costs required in determining and following-up an inactive committee.

(12) This bill annually appropriates an unspecified amount of money from the state General Fund to the State Recount Commission. The amount appropriated is to be sufficient for the payment of expenses for recounts

or contests.

(18) This bill appropriates \$10,000 from the state General Fund to the State Recount Commission in FY 2000 to pay outstanding claims for reimbursement of expenditures for an election recount or contest conducted by a county. The outstanding claims cover the time period after January 1, 1986, and before January 1, 1999. The claims must be submitted not later than noon August 1, 1999.

(19) The bill would no longer require a county to pick-up paper ballots (printed by the State) from the Election Division and require the payment of \$3 per day plus mileage allowance. According to the Election Division, very few counties use paper ballots that are printed by the State. Currently, the Election Division uses UPS to deliver the paper ballots to a county.

The remaining provisions of this bill have no fiscal impact.

**Explanation of State Revenues:** (10)(b) The Election Division estimates that there are 30 committees that have shown no activity and could be disbanded by the Election Commission if allowed by statute. The inactive committees are required to file an annual report. Failure to file an annual report has a fine of \$1,000. Currently the 30 inactive committees have not filed the required annual reports, the fines have been levied but not collected. Since the fines are not collected there would not be a decrease in revenue.

**Explanation of Local Expenditures:** (3) The county is responsible for establishing the payment to poll workers who only work half of an election day. The fiscal impact is dependent on local action.

(12) This bill requires all costs for a contest are to be paid from the county general fund, without an appropriation. The fiscal impact of this provision is indeterminable and dependent on the number of contests in a county.

**Explanation of Local Revenues:**

**State Agencies Affected:** Election Commission; Election Division, Secretary of State's Office; State Recount Commission; Secretary of State; Governor.

**Local Agencies Affected:** County election board.

**Information Sources:** Brad King, Co-General Counsel, Indiana Election Commission, (317) 232-3929.