

**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: Apr 6, 1999

BILL AMENDED: Apr 5, 1999

SUBJECT: Various elections matters.

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FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill makes changes in election law in the following areas: (1) Voter registration procedures. (2) Election forms. (3) The status of political party officers as office holders under the Indiana Constitution. (4) County election boards and combined election boards and boards of registration. (5) Precinct election workers and procedures at the polls on election day. (6) Nomination of candidates and other procedures relating to becoming a candidate. (7) Election challenge, recount, and contest procedures. (8) Indiana election materials disclaimer law. (9) Ballot card and other voting systems. (10) Local public questions in Lake County. (11) Printing, form, and delivery of ballots. (12) Establishing precincts in counties containing campuses of a state university. (13) Voting by absentee ballot. (14) Certificates of election. (15) Filling of candidate vacancies. (16) The status of appointed deputies of local office holders as holding a lucrative office. (17) School board elections in Tippecanoe County and Hammond. (18) The size and election of legislative bodies in certain towns.

This bill makes technical changes and repeals obsolete election statutes.

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

Explanation of State Expenditures: (Revised) (2) The bill 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.

(7) This bill establishes the State Recount Fund for the purpose of receiving, holding, and disbursing funds as a fiduciary for the State Recount Commission and individuals providing cash deposits in connection with a recount or contest. This bill appropriates from the State Recount Fund to the State Recount Commission the amounts necessary to pay the expenses of recounts. The State Recount Fund is to be administered by the Administrative Division of the Office of the Secretary of State. The expenses of administering the Fund are

to be paid from money in the Fund.

(11) 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 a minimal or no fiscal impact.

Explanation of State Revenues: (Revised) (7) A cash deposit in a recount conducted by the State Recount Commission is to be deposited in the State Recount Fund. Any unexpended balance remaining in a deposit after payment of all costs of the recount remains in the State Recount Fund.

Explanation of Local Expenditures: (Revised) (2) 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.

(4) This bill allow county election board members certain lodging allowances equal to the lodging allowance provided to state employees. Currently, state employees are reimbursed for lodging expenses not to exceed the single occupancy room charge, including taxes. The fiscal impact of this provision is dependent on local action.

(7) This bill requires all costs for a contest 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.

(9) Currently an optical scan ballot is required to have two attached perforated stubs. One stub is retained by the precinct election board and the second stub is to be retained by the voter. According to the Election Division, the second stub is generally not retained by the voter. The cost of the second stub is \$0.10 per ballot. This bill would reduce costs to those counties that use an optical scan ballot. It is unknown how many counties use an optical scan ballot.

(10) Lake County has a board of elections and registration. This bill removes the requirement that the director of the board receive an annual salary of not less than the salary of other chief deputies in the county. This bill provides that the board establishes the number and compensation of the employees of the board. Passage of this bill could impact the current salary paid to the director of the board as well as the employees of the board. The fiscal impact is dependent on local action.

(17) This bill would transfer the responsibility of breaking a tie vote for the Tippecanoe County and the City of Hammond school board elections and filling a vacancy on the governing body of a school corporation from the judge of the circuit court to the fiscal body of the township in which the greatest percentage of population of the school districts resides. Passage of this bill will transfer the cost from the Tippecanoe County and the City of Hammond to a township. It is unknown how many tie votes must be resolved. The fiscal impact of this provision can be down within the existing budget of the township.

(18) Currently, a town that wished to expand the size of its board must hold a referendum of the voters in the town. This bill allows towns with a population greater than 10,000 to add two additional members to the town board without the public question by adopting an ordinance to do so. According to the 1990 census, nine Indiana towns have populations over 10,000. This provision should have a minimal reduction in expenditures.

The remaining provisions of this bill have a minimal or no fiscal impact.

Explanation of Local Revenues: (Revised) (7) A cash deposit for a recount conducted by a county recount commission is be deposited in the county general fund.

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; Tippecanoe County; Tippecanoe County circuit court; City of Hammond; Lake County circuit court; Township within Tippecanoe County and the City of Hammond; Lake County; Counties that use optical scan ballot; County election board; County voter registration office; County executive and county fiscal bodies.

Information Sources: Brad King, Co-General Counsel, Indiana Election Commission, (317) 232-3929. Brenda Jones-Matthews, Johnson County Clerk, (317) 736-3708.