

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 272** HLS 17RS 419
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 8, 2017 6:37 AM	Author: HOLLIS
Dept./Agy.: Secretary of State	Analyst: Zachary Rau
Subject: Revision of Recall Election Provisions	

ELECTIONS/RECALL EG SEE FISC NOTE GF EX See Note Page 1 of 1
 Provides relative to recall elections

Present constitution requires the legislature to provide for recall elections. Present law outlines recall petition requirements, such as signature requirements, timelines for gathering signatures, filing of a petition with registrars of voters within a voting area, petition certification, and receipt of a governor's order to hold a recall election. Present law requires a recall petition to have signatures from 33.3% of electors in a voting area to call a recall election, except in voting areas of fewer than 1,000 persons, where the requirement is 40% of electors. Proposed law retains present law regarding petition signature requirements for voting areas of fewer than 1,000 persons, but alters recall petition signature based on population as follows: 33.3% for areas with 1,000 - 24,999 qualified electors; 25% for areas with 25,000 - 99,999 qualified electors; 20% for areas with 100,000 or more qualified electors.

EXPENDITURES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in marginal cost increases for the Secretary of State and local governmental authorities as a result of items being added to ballots during an already-scheduled election or the activation of precincts which were not scheduled to hold an election. The proposed legislation alters petition signature thresholds for which a recall referendum may be triggered from 33.3% of electors in a voting area, except in areas where there are fewer than 1,000 voters, in which case the recall referendum may be triggered by signatures from 40% of electors. The new thresholds are based on population, with the percentage of signatures needed growing smaller as a voting area's population of qualified electors increases.

Proposed law may result in marginal cost increases for the Secretary of State and local governmental authorities to the extent it makes recall referendums easier to trigger and adds an item to existing statewide or municipal election ballots. The number of recall referendums that may occur is unknown. Furthermore it is unknown if the altered thresholds will increase the number of recall petitions, and therefore potential recall referendums, statewide.

The most significant cost potential of the proposed legislation is the activation of precincts for a recall referendum where there was not an election already scheduled. Such a situation may only occur during municipal-only Spring elections or during Fall elections the year following a presidential election (off-years). To the extent such a situation occurs, it would cost approximately \$1,250 per precinct to activate the precincts within the voting area of the recall referendum. It is unknown if such a situation would occur. In the event it does, local governmental entities would be liable to reimburse the Secretary of State pursuant to LA R.S. 18:1400.1(C)(3).

For reference, the Secretary of State and local governmental authorities engage in cost sharing for statewide elections pursuant to LA R.S. 1400.1, with the Secretary of State funding approximately 75% of an election and local governmental entities funding the remaining 25%. LA R.S. 18:1400.1(C)(3) provides that the Secretary of State receive full reimbursement from local governing authorities in the event of a municipal-only election.

Furthermore, the Secretary of State anticipates revising forms produced in-house associated with recall elections at no cost.

REVENUE EXPLANATION

Proposed law may increase SGR collections for the Secretary of State by an indeterminable, though likely marginal, amount in the event a recall referendum is added to a ballot. The source of SGR is reimbursements from local governing authorities. Local governing authorities must reimburse the Secretary of State in full for election expenses incurred during a municipal-only election and in part for statewide elections. Because the number of recall referendums that may occur is unknown, the potential increase in SGR collections for the Secretary of State is indeterminable.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
Evan Brasseaux
Staff Director