

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 292** HLS 10RS 1291
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action: **W/ SEN FLOOR AMD**
 Proposed Amd.:
 Sub. Bill For.: **REVISED**

Date: June 11, 2010 3:24 PM	Author: GREENE
Dept./Agy.: State	Analyst: Evelyn McWilliams
Subject: Open Primary for Congressional Elections	

ELECTIONS EGF SEE FISC NOTE GF EX Page 1 of 1
 Provides for an open primary system of elections for congressional offices

Deletes the requirement for a closed primary system for congressional candidates with candidates and voters participating in the first and second primary elections according to party affiliation. Deletes the requirement for a first and second party primary and provides for establishment of a single primary with candidates and voters participating without regard to party affiliation. Provides that unless a candidate receives a majority vote in the primary and is elected, the top two candidates are the candidates in the general election. Provides that the primary election is to be held the first Tuesday after the first Monday in November of an election year. Provides that the general election is to be held the first Saturday in December of an election year. Effective upon governor's signature.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	(\$6,575,840)	\$0	(\$6,575,840)	(\$13,151,680)
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	(\$6,575,840)	\$0	(\$6,575,840)	(\$13,151,680)

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION


Regardless of the effective date of this legislation, the legislation will not reduce the number of statewide elections to be held in FY11. The legislation eliminates the first and second party primaries for election of congressional candidates, which under current law are scheduled August 28, 2010 (first primary) and October 2, 2010 (second primary). The legislation changes the election date for congressional candidates to November 2, 2010 (primary) and December 4, 2010 (general). Passage of two concurrent resolutions during the 2009 legislative session placed 2 proposed constitutional amendments on the ballot for the October 2nd election. Therefore, the October 2nd election date cannot be eliminated. Act 537 provides for the convening of the legislative session and the effective date of enacted legislation. Act 538 provides that all employees of the Governor's Office of Homeland Security and Emergency Preparedness shall serve in the the unclassified service of the state civil service.

The proposed legislation reduces the number of congressional elections from three elections (1st party primary, 2nd party primary, and general) to two elections (primary election and general election), thereby reducing election expenses \$6.6m in years when congressional elections would be held. The legislation provides for an open primary system for election of U.S. congressmen with candidates and voters participating in the primary election without regard to party affiliation. The Secretary of State estimates the maximum cost for each statewide election to be approximately \$6.6m. The estimate for the maximum cost assumes all precincts would be opened and that a full complement of poll commissioners (the maximum number allowable under current law) would be employed. Congressional elections occur every two years and are scheduled in the fall of even numbered years (2010, 2012, 2014). The highest cost to date for a statewide election is slightly more than \$5.8m, the cost for the 2008 presidential election.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost | | <input type="checkbox"/> 6.8(F) >= \$100,000 Annual SGF Cost |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease |


Robert E. Hosse
LFO Staff Director