LEGISLATIVE FISCAL OFFICE
Fiscal Note

Date: May 8, 2013	12:36 PM	**Author:** BURNS, TIM
Dept./Agy.: Secretary of State		
Subject: Election Code		**Analyst:** Evelyn McWilliams

ELECTION CODE   EG DECREASE GF EX See Note   Page 1 of 1
Makes revisions to the La. Election Code

The proposed legislation makes multiple technical changes to the election code. The proposed legislation also changes the time of day the qualifying period for candidates ends from 5:00 p.m. to 4:30 p.m.; allows a candidate who has filed a notice of candidacy to change the information contained in the original notice by filing a new notice of candidacy and paying another qualifying fee; and removes the provision regarding a refund to a candidate who withdraw after qualifying.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
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	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

REVENUES	2013-14	2014-15	2015-16	2016-17	2017-18	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	$0	$0	$0	$0	$0	$0
Annual Total						

EXPENDITURE EXPLANATION

Implementation of the proposed legislation will result in an indeterminable decrease in state general fund expenditures. The legislation changes the time of day the qualifying period for candidates ends from 5:00 p.m. to 4:30 p.m. and would reduce employee overtime costs for clerk of court employees during the candidate's qualifying period. The Secretary of State initially pays the costs for the overtime expenses incurred by the clerks of court; however the local governing authority reimburses the Secretary of State for the local's share of the overtime cost along with other election expenses after the election is held. The amount of the reimbursements due the Secretary of State is based on the type of election (state/local) held.

In addition, the proposed legislation eliminates the provision of providing for a refund to a candidate who withdraws after qualifying. Current law provides that if a candidate withdraws from an election prior to the 56th day before the election, the candidate is eligible to receive 50% of the original qualifying fee. This legislation eliminates the 50% qualifying candidate refund. Thus, the Secretary of State will not have to refund these fee collections. These fee collections are classified as SGR and currently the 50% paid from such resources. According to the Secretary of State, over the past 3 fiscal years the agency refunded $58,449 of $871,607 in qualifying fees collected.

REVENUE EXPLANATION

The proposed legislation creates a new fee that may generate additional revenues. The legislation generates another qualifying fee for a candidate who has filed a notice of candidacy and wishes to change the information contained in the original notice by filing a new notice of candidacy and paying another qualifying fee. The amount of revenue generated from this fee is indeterminable and not anticipated to be significant.

Current law provides that if a candidate withdraws from an election prior to the 56th day before the election, the candidate is eligible to receive 50% of the original qualifying fee. This legislation eliminates the 50% qualifying candidate refund. Thus, the Secretary of State will retain these collected fees regardless if an candidate withdraws. According to the Secretary of State, over the past 3 fiscal years the agency refunded $58,449 of $871,607 in qualifying fees collected.

Senate	Dual Referral Rules	House	
☐ 13.5.1 >= $100,000 Annual Fiscal Cost {S&H}		☐ 6.8(F) >= $500,000 Annual Fiscal Cost {S}	*Evan Brasseaux*
☐ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}		☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}	**Evan Brasseaux** **Staff Director**