

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 5, 2003**

**TO:** Honorable Mary Denny, Chair, House Committee on Elections

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB714** by Hilderbran (Relating to the use of uniform election dates.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

This bill would amend Sections 41.001(a), (b) and (d) of the Elections Code to eliminate two uniform election days now available for the elections held by political subdivisions. In addition, the bill would move a third uniform election day to the second Tuesday in March and require a political subdivision holding an election on that day to use the same polling places used for the general primary elections under procedures adopted by the Secretary of State. The bill would eliminate the exception for political subdivisions issuing bonds or levying taxes for the support of educational institutions. The bill would take effect October 1, 2003 and apply to an election ordered on or after that date.

The bill would implement recommendation GG8 from the Comptroller's E-Texas Report, Limited Government, Unlimited Opportunity. However, the bill would go beyond the E-Texas report recommendations by moving a third uniform election day to the same as the primaries and by requiring political subdivisions holding elections on that day to use the same polling places. The cost of holding primary elections are paid for by the state. Counties pay for statewide general elections and political subdivisions pay for elections for which they are conducted. Moving one of the uniform election days to the day of the primary and requiring the political subdivision to use the same polling places used for the primaries could result in a savings to the state if the expenses include the cost of renting polling places in those precincts in which public buildings were not available in the precinct holding their elections on the same day agreed in a joint election agreement to share those costs.

Eliminating two of the uniform election days and removing the exception for bond elections for educational institutions would have no fiscal effect on the state. Moving a third uniform election day to the same day as the primaries and requiring the political subdivisions to use the same polling places could reduce the cost of renting polling places for primary election in some precincts and therefore result in savings to the state. However, the amount of savings would depend on the extent to which expenses are shared under joint election agreements.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

Combining local subdivision elections with the primary elections of political parties would require the local unit to hold elections at two separate polling places in every precinct in the subdivision's territory, thus doubling the number of polling places for those subdivisions. Requiring cities, school districts and other political subdivisions to use the same polling places would mean that the political subdivision would have to use the precincts established by the county for general elections and primaries. Since many political subdivisions use different precincts, as they are permitted to do by the Election Code, the number of polling places could increase, thereby increasing the number of election judges and clerks and related expenses. To some extent the increase could be mitigated by arrangements to share expenses made with both political parties holding primaries, with counties in the case of the November election, and with other local political subdivisions.

**Source Agencies:** 304 Comptroller Of Public Accounts, 307 Secretary Of State

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