

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 22, 2005

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SJR14 by Seliger (Proposing a constitutional amendment allowing certain counties to abolish and reinstate the office of constable in the county or in a precinct of the county.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$66,497.

The resolution would require that a proposed constitutional amendment to allow a county with a population of less than 250,000 to abolish or to reinstate the office of constable be submitted to the voters in an election to be held November 8, 2005. If the voters approve the constitutional amendment, an applicable county commissioners court would be authorized to call an election to abolish the office of constable countywide or in a specified precinct. If the office is abolished and has been abolished for five years or more, the commissioners court may call for an election to consider reinstating the office. If the office is abolished for less than five years, the commissioners court could call for an election only if the court receives a petition containing the appropriate number of signatures.

Local Government Impact

The election regarding the resolution would have no fiscal impact on units of local government; however, if the resolution passes and if an applicable county chooses to hold an election to abolish or reinstate the office of constable, the county would incur the costs of that election. Based on costs reported to the Secretary of State (SOS) in the summer of 2004 by a sampling of counties, municipalities, and special districts, the average cost incurred by a local government entity for an election is \$1.29 per registered voter. According to March 2004 data from the SOS, there are nearly 12.3 million registered voters in Texas. The election cost per local government would vary depending on the number of voters registered in each. If a special election were to be held on the general election date, the local government would experience an increase in costs that would not likely be significant (because the state pays the majority of the costs). If a special election were to be held on a uniform election date other than the general election date, the local government would incur the full costs associated with conducting the special election (pay to workers, fee for use of polling locations, publishing notice in newspapers, printing of ballots).

Source Agencies:

LBB Staff: JOB, DLBa