

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 20, 2009

TO: Honorable Todd Smith, Chair, House Committee on Elections

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

IN RE: HB1638 by Brown, Fred (Relating to state compensation for certain election expenses.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1638, As Introduced: a negative impact of (\$2,425,710) through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$2,425,710)
2011	\$0
2012	(\$2,425,710)
2013	\$0
2014	(\$2,425,710)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1
2010	(\$2,425,710)
2011	\$0
2012	(\$2,425,710)
2013	\$0
2014	(\$2,425,710)

Fiscal Analysis

The bill would change the minimum hourly rate of an election officer for a primary or runoff election or an election officer that attended a training program from \$7 to \$10 per hour. The bill would change the minimum hourly rate of an election judge, early voting clerk, or deputy early voting clerk in charge of an early voting polling place for attending the training program from \$7 per hour to not less than \$10 per hour. The bill would prohibit a political subdivision from deducting from the salary, wages, or accrued leave of an officer or employee because of service as an election judge or clerk. The bill would also prohibit deductions for any fee or compensation the employee receives for serving as an election judge or clerk. The bill would require state compensation be proportional to the number of polling places in a county but in no case may the state compensation be limited to fewer than one polling place for each commissioners precinct. The bill would be effective September 1, 2009.

Methodology

It is assumed that the cost would be \$2,425,710 in election years. This was determined by taking the number of election workers in the 2006 primary election, multiplying by the increase in the hourly rate, and multiplying that by the average number of hours worked in 2006.

Local Government Impact

The bill would change the minimum hourly rate of an election officer for a primary or runoff election, or an election officer that attended a training program, from \$7 to \$10 per hour.

The bill would change the minimum hourly rate of an election judge, early voting clerk, or deputy early voting clerk in charge of an early voting polling place for attending the training program from \$7 per hour to not less than \$10 per hour.

The bill would prohibit a political subdivision from deducting from the salary, wages, or accrued leave of an officer or employee because of service as an election judge or clerk. Local governments could incur some costs associated with the provision; however, those costs are not anticipated to be significant. Although, the Assistant Elections Administrator for Dallas County reported the bill could have an impact if bilingual city and county employees are employed as emergency judges and clerks.

The fiscal impact to local governments to implement the provisions of the bill is not anticipated to be significant.

Source Agencies: 304 Comptroller of Public Accounts, 307 Secretary of State

LBB Staff: JOB, TP, MS, BTA