

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 31, 2013

TO: Honorable Geanie Morrison, Chair, House Committee on Elections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1428 by Davis, Sarah (Relating to inappropriate actions by the early voting ballot board.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1428, As Introduced: a negative impact of (\$462,975) through the biennium ending August 31, 2015.

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
2014	(\$240,435)
2015	(\$222,540)
2016	(\$222,540)
2017	(\$222,540)
2018	(\$222,540)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	1
2014	(\$240,435)
2015	(\$222,540)
2016	(\$222,540)
2017	(\$222,540)
2018	(\$222,540)

Fiscal Analysis

The bill would amend the Election Code to require the Secretary of State to review any written applications by the presiding officer of a local canvassing authority that the early voting ballot board has inappropriately accepted or rejected a ballot or otherwise violated a provision of the Election Code, and determine the appropriate remedy, including the possibility of a recount.

The Secretary of State indicates that an additional three attorneys would be needed to review the expected increase in applications due to the provisions of the bill related to the additional responsibility of reviewing such applications and the requirement to take necessary actions in order to meet recount deadlines. The LBB estimates that the 3 additional FTEs would require \$240,435 out of General Revenue in fiscal year 2014, and \$222,540 out of General Revenue in each of the following fiscal years.

This bill would take effect immediately if it receives a vote of two-thirds of each house; if not, it will take effect on September 1, 2013.

Methodology

The Secretary of State estimates 3.0 additional FTEs in the Attorney I position in the B20 Salary Group, with a mid-range salary of \$56,775 for each FTE. Related benefits for each FTE would be \$16,885, and one-time startup costs for each FTE would be an estimated \$6,485, which includes costs for a desk, credenza, bookcase, filing cabinet, computer, telephone, telephone service, and consumable supplies. These items would result in an initial fiscal year cost of \$240,435. Recurring annual costs for each FTE would be an estimated \$520 for consumable supplies and telephone service, resulting in a total cost of \$222,540 for the 3.0 FTEs in each of the following fiscal years.

Local Government Impact

Fiscal impact to local governments would vary depending on the number of future cases under the bill and the remedy decided on by the SOS; however, it is not anticipated to be significant.

Source Agencies: 307 Secretary of State

LBB Staff: UP, KJo, EP, CK, KKR