

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 24, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB221 by Bettencourt (Relating to requirements for certain petitions requesting an election and ballot propositions.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend language used to describe certain ballot propositions. Upon petition by an eligible registered vote in a home-rule city, the Secretary of State would be required to review the language of a proposition and, in certain cases, be required to draft a alternative and final ballot proposition.

This analysis assumes that any costs incurred by the Secretary of State in reviewing propositions submitted for review would have no significant fiscal impact.

The Office of Court Administration does not anticipate a significant financial impact to the state court system from this bill.

Local Government Impact

The bill would require local jurisdictions to defend ballot proposition language in response to writs of mandamus related to the wording of ballot propositions. The potential cost to these jurisdictions cannot be determined at this time but could include legal fees to conduct any defense, including successful plaintiff attorney's fees and expenses, and the cost of any new elections ordered by a court in response to the writ.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 307 Secretary of State

LBB Staff: JMc, MOc, GP, SMAT, LCO