

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 26, 2023

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1705 by Middleton (Relating to nominations by primary election by all political parties.), **As Introduced**

The fiscal implications of the bill cannot be determined due to uncertainty over the number of political parties that would be required to hold primary elections.

The bill would amend the Election and Government codes to repeal the nomination-by-convention process for certain political parties.

Under current law, political parties are allowed to nominate state and county candidates for the general election through primary elections if the party's nominee for governor in the most recent gubernatorial general election received two percent or more of the total of number of votes and are required to do so if that candidate received 20 percent of those votes.

The bill could require additional political parties to select candidates via primary elections, including runoff elections, which are financed by state funding pursuant to Chapter 173 of the Election Code.

According to a review of recent primary expenses by the Secretary of State (SOS), the cost of conducting a primary election, including runoff elections, is approximately \$10 million over the biennium. Candidate filing fees for current primary elections contribute approximately 10-15 percent of the these costs.

The SOS expects that costs for primary elections would be smaller for parties with fewer candidates filing for a place on the ballot and therefore estimates that the cost to conduct any additional primary elections, including any subsequent runoff elections, would be \$9 million per election. Because the number of additional parties that could be required to nominate candidates through primary elections cannot be estimated, the cost of this bill cannot be determined at this time.

Local Government Impact

The fiscal implications of the bill cannot be determined at this time.

Source Agencies: 307 Secretary of State

LBB Staff: JMc, SMAT, LCO, GP, NTh, NV, CMA