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## FISCAL IMPACT REPORT

SPONSOR: Wallace DATE TYPED: 02/19/03 HB 216/aHVEC

SHORT TITLE: Mailed Ballots for Constitutional Amendments SB \_\_\_\_\_

ANALYST: Collard

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
		Indeterminate	See Narrative	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Responses Received From  
Secretary of State  
Attorney General's Office

### SUMMARY

#### Synopsis of HVEC Amendment

The House Voters and Elections Committee amends House Bill 216 to simplify ballot instructions. Additionally, the amendment eliminates page 11, lines 4 through 7, as that section is not applicable because the Election Code limits election contests and recounts to candidates only, not questions on the ballot.

#### Synopsis of Original Bill

House Bill 216 provides that elections regarding state constitutional amendments shall be conducted by mail ballot only. It also provides that elections regarding other statewide questions shall be conducted in accordance with the Election code. This distinguishes how elections are conducted for state constitutional amendments from how elections are conducted for other statewide questions.

#### Significant Issues

House Bill 216 enacts new sections of the Election Code to specify procedures for voting on state constitutional amendments, including the specific ballots used, the register of mailed and

received ballots, the manner of voting, the receipt of ballots by county clerks, the handling and counting of ballots by the absentee voter precinct boards, the canvass and recount or recheck of ballots, and the provisional voting on a replacement ballot by a person stating that he or she did not receive the mail ballot.

### **FISCAL IMPLICATIONS**

The Secretary of State indicates conducting mail ballots that are unscheduled will not allow counties or the county clerk's office to budget properly. The cost of postage for a mail ballot election at today's postal rates is \$256.0.

### **ADMINISTRATIVE IMPLICATIONS**

The Secretary of State notes if the statewide mail ballot elections are held with any frequency, the staffing in the Bureau of Elections must be increased.

### **TECHNICAL ISSUES**

The Secretary of State indicates page 2, line 20 through page 3, line 2 should be amended to instruct the voter to mark the ballot according to the instructions for that particular ballot style to match the wording in Section 1-16-6. Also, on page 11, line 4 "in the event of a contest" is not applicable because the Election Code limits election contests and recounts to candidates only, not questions.

The Attorney General's Office notes that Section 10, subsection E provides that mail ballots are opened, counted and results tallied by the absent voter precinct boards before the polls are closed on election day. This appears to contradict the counting and tallying of all other votes cast on Election Day, which are not counted and tallied until after the polls close.

KBC/sb