

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6325

BILL NUMBER: HB 1344

DATE PREPARED: Nov 14, 2001

BILL AMENDED:

SUBJECT: Ballot Access; Candidate Deadlines.

FISCAL ANALYST: Chris Baker

PHONE NUMBER: 232-9851

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

(A) Reduces the number of signatures of registered voters required by a political party or an independent candidate to gain ballot access for all federal, state, and local offices and for local offices in a single political subdivision, and allows a political party obtaining ballot access by these methods to nominate its candidates by a state or local convention.

(B) Provides certain filing, certification, and withdrawal deadlines for petitions of nomination and candidates nominated by a state convention.

(C) Allows a party whose candidate obtains at least 0.5% of the total vote cast for federal or state office to remain on the ballot for all federal, state, and local offices until none of the party's candidates for federal or state office meet that requirement in two consecutive elections.

(D) Provides for certain deadlines for filling state convention candidate and early candidate vacancies.

Effective Date: Upon passage.

Explanation of State Expenditures: (A) & (C) This provision could require the Indiana Election Division to include additional candidates on general election ballots for state and federal elected offices. The Election Division could see an increase in printing expenditures as a result. The Election Division would have to determine if petitions submitted are in compliance under the requirements of this bill. If an additional staff member were necessary to carry out these provisions, a COMOT 3 position would require an expenditure of \$30,578 in FY 2002 and \$29,931 in FY 2003.

As of November 1, 2001, the Election Division had 16 total positions. The 16 positions includes: 13 full-time

positions, one intermittent position, and one vacancy. The vacancy is a PAT 3 position (systems analyst).

Background: Based on data obtained from the Indiana Election Division, in order to have one-half percent (0.5%) of the total vote for the most recent election of Secretary of State, a petition would need an estimated 7,679 signatures. Under current law the requirement for a petition is two percent (2%). Two percent of the total vote for Secretary of State currently requires approximately 30,716. The following table lists one-half percent of the total vote for major federal and state offices in the most recent election for each office:

Office	Total Votes Required at 0.5%
US President (2000)	10,997
US Senate (2000)	10,726
US Senate (1998)	7,943
Governor (2000)	10,896
Secretary of State (1998)	7,679
Auditor of State (1998)	7,557
Treasurer of State (1998)	7,538
Attorney General (2000)	10,511
Superintendent of Public Instruction (2000)	10,390
Clerk of Supreme Court (1998)	7,433

The specific impact to the Election Division is indeterminable and will vary based on the number of petitions filed as a result of the bill.

(B) & (D) The Election Division would require minor expenditures in order to update petition forms.

Explanation of State Revenues:

Explanation of Local Expenditures: **(A) & (C)** The specific impact to localities is indeterminable and will vary within each county by the number of petitions filed as a result of the bill. County election boards and boards of registration may face additional administrative expense to carry out the provisions of the bill. Under the bill, county election boards would be required to verify that each person signing a petition that requires a number of signatures equal to at least one-half percent (0.5%) of the total vote for Secretary of State in the most recent election is a registered voter of the county in which a person is registered.

Additionally, the county election board is required to print those candidates on municipal election ballots that have submitted a verified 0.5% voter petition. (Current law requires the printing of candidates on municipal election ballots that have submitted a verified 2% voter petition.)

The bill would allow county election boards to appoint watchers of a party that petitions with signatures equal to at least one-half percent (0.5%) of the total vote for the most recent election of Secretary of State at poll sites when a public question has been submitted to the electorate of the county. Watchers are not paid out of local government funds for their service.

Background: Under current law, petitions to have an independent candidate that is not nominated by a party convention placed on the ballot in an election requires the following: A petition of nomination must be signed by the number of voters equal to two percent (2%) of the total vote cast at the last election for Secretary of State in the election district that the candidate seeks to represent. The circuit court clerk or board

of registration in the county where the petitioner is registered must certify that each petitioner is a voter in the county.

(B) & (D) There should be no fiscal impact to counties as a result of these provisions. The Election Division provides petition forms to counties.

Explanation of Local Revenues:

State Agencies Affected: Indiana Election Commission.

Local Agencies Affected: County election boards, County boards of registration.

Information Sources: Indiana Election Division; State of Indiana *HRM Detail Staffing Report 11/01/01*.