

Department of Planning and Budget

2001 Fiscal Impact Statement

1. Bill Number SB1275

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Wagner

3. Committee Privileges and Elections

4. Title Reporting requirements of Campaign Finance Disclosure Act.

5. Summary/Purpose:

Violations of the reporting requirements of the Campaign Finance Disclosure Act and penalties. Revises the provisions on reporting violations of the Act in accordance with recommendations of the joint subcommittee studying campaign finance reform pursuant to HJR 213 and SJR 80 (2000). The bill (i) authorizes the State Board and the appropriate local election official to review disclosure reports for completeness and request additional information; (ii) provides for the jurisdiction of the appropriate attorney for the Commonwealth for statewide and other campaigns; (iii) authorizes the State Board or appropriate local election official to assess and collect the civil penalty for violations of the reporting requirements before referring the violation to the attorney for the Commonwealth; (iv) provides for payment of civil penalties collected at the local level to the locality; and (v) provides for increased penalties and public notice on the Internet of violations by candidates for statewide office or the General Assembly involving the failure to file a required report by the required deadline.

6. Fiscal Impact Estimates are: final

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2000-01			
2001-02	\$ 102,000	2 FTEs	GF
2002-03	\$ 102,000	2 FTEs	GF

6b. Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2000-01			
2001-02			
2002-03			

7. Budget amendment necessary: Yes, Item 88.

8. Fiscal implications: Implementing the requirement that the State Board of Elections review reports for completeness and request additional information within seven days of the reporting deadline will require approximately \$102,000/yr. This consists of two additional FTEs (at \$36,000/yr plus benefits), and \$5,000 non personal costs per FTE.

The impact on local electoral boards and registrars cannot be estimated.

While the increase in the amounts of the fines may result in additional revenue, the higher fines are expected to have a deterrent effect, resulting in fewer violations and fewer fines levied. Therefore, the expected revenue impact is minimal.

9. Specific agency or political subdivisions affected: State Board of Elections, local Electoral Boards, local General Registrars, Commonwealth's Attorneys.

10. Technical amendment necessary: No

11. Other comments: HB 2323 is similar, however the bills differ in that SB 1275:

- (1) increases the penalties for failure to file;
- (2) does not delay the effective date of changes, and
- (3) clarifies to which Commonwealth's Attorney PAC violations are reported if all PAC officers live in one locality.

Date: 03/12/01/ RLB

Document: SB1275ER

cc: Secretary of Administration
Secretary of Public Safety

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