

## Department of Planning and Budget 2010 Fiscal Impact Statement

**1. Bill Number:** HB1057

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

**2. Patron:** Armstrong

**3. Committee:** Privileges and Elections

**4. Title:** Elections; qualifications of candidates.

**5. Summary:** Directs the State Board of Elections or the general registrar, as appropriate, to evaluate whether a person meets the residency requirements to qualify as a candidate and entitle him to have his name printed on the ballot in a general, primary, or special election. In determining residency, the Board, electoral board, or general registrar may consider the applicant's driver's license, motor vehicle registration, and the state and locality to which income and personal property taxes are filed as prima facie evidence of domicile. The State Board, in accepting or failing to accept the qualification of any candidate for election to statewide office, the United States House of Representatives, or the General Assembly shall be considered a case decision and subject to the Administrative Process Act. Any proposed candidate whose statement of qualification was not accepted, or the opponent of a candidate whose statement of qualification was accepted, shall have standing to challenge the action of the State Board in such instance.

The revised legislation excludes local electoral boards, which were subject to provisions in original legislation.

**6. Fiscal Impact Estimates:** Minimal fiscal impact to State Board of Elections (SBE)

**7. Budget Amendment Necessary:** No

**8. Fiscal Implications:** There is no fiscal impact to SBE to evaluate whether residency requirements are met. SBE already has access to DMV systems and some evaluation of residency requirements are already performed by SBE in validating voter registration requirements. Fiscal Impact of employing the Administrative Process Act (APA) in this activity should have little to no fiscal impact. The APA is currently used by SBE in voter registration challenges.

**9. Specific Agency or Political Subdivisions Affected:** State Board of Elections, local government

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None