

Commission on Local Government

Estimate of Local Fiscal Impact

2015 General Assembly Session

Bill: SB742

Patron: Carrico

Date: 1/21/2015

In accordance with the provisions of §30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of the above-referenced legislation:

Bill Summary:

Provides that no candidate shall be deemed to have been elected at a general election to any statewide office unless such candidate receives more than 50 percent of the total votes cast for that office. The bill requires that when no candidate for an office receives more than 50 percent of the total votes cast at the general election for that office, a run-off election between the candidates receiving the highest and next-highest number of votes for that office shall be held. However, no run-off election shall be held if the total number of write-in votes cast for an office and the total number of votes cast for the candidate receiving the highest number of votes for an office together equal more than 50 percent of the total votes cast for that office. The bill requires run-off elections to be held on the fourth Tuesday following the date of the certification of the results of the general election or, if a recount is conducted after the general election, on the fourth Tuesday following the date of the certification of the results of the recount, unless the fourth Tuesday falls on a legal holiday, in which the case the run-off election will be held on the sixth Tuesday. The bill provides that all other elections, including a general election of electors for the President and Vice-President of the United States, the person having the highest number of votes for an office shall be deemed to have been elected to such office and shall receive the certificate of election. Under current law, except in the case of a recount, the person having the most votes cast at any election shall be deemed to have been elected to that office.

Executive Summary:

SB 742 requires the winner of a general election for a statewide to earn 50 percent of the total votes cast or higher. In the event that the winner does not earn 50 percent of the vote, a run-off election will be required between the candidates receiving the highest and next-highest total votes for that office (with some exceptions).

The fiscal impact to local governments could range from \$16,000-450,000. A primary variable in the fiscal impact is the local population. Localities that operate more voting centers are likely to be impacted the most by the provisions of SB 742. They would need to rent more facilities and hire additional staff.

To completely analyze the local impact of SB 742, one cannot ignore factors that could increase the likelihood of run-off elections. One local respondent noted that an increase in third-party candidates would make the probability that a winning candidate would earn 50 percent of the vote less likely. Localities were also unsure of how they would properly advertise for the run-off election or to manage absentee ballots in such a scenario.

Local Analysis:

Locality: City of Chesapeake **Estimated Fiscal Impact:** \$85,000.00

In the event no candidate for a statewide office received a majority of the votes, a run-off election would be required. Based on current costs, City of Chesapeake spends on average \$85,000 for each election. Costs include poll workers, transporting equipment, printing ballots, and rental payments to owners of precinct locations.

Locality: City of Danville **Estimated Fiscal Impact:** \$16,000.00

Danville City Registrar's office estimates the cost of a run-off election to be \$16,000 using the current voting system. The number of offices on the ballot would not make a significant impact. Should an optical scan voting system become required, an additional cost for vendor support (current system in house, optical system would require vendor-support programming and printing) would be incurred, for a total estimate of \$20,000 per run-off election.

The additional considerations that may impact the cost would be the timing of the run-off elections. December or mid-January run-off elections put the event at risk of winter weather. Considerations for additional snow-removal services and transit for Officers of Elections may increase costs.

Locality: City of Lexington **Estimated Fiscal Impact:** \$50,000.00

There would be a large cost to localities. Reduced voter turnout in an election could ultimately determine the winner. This would represent a major shift in voting policy in Virginia. The City is unsure how a locality would ensure that military and overseas voters would be able to participate. There is also uncertainty related to how to conduct the second election when the voting machines would most likely still be in lock-down from the first election.

Locality: City of Lynchburg **Estimated Fiscal Impact:** \$25,000.00

Each election costs the City of Lynchburg about \$25,000 with the cost of election officials being the majority of the cost (\$19,000). It doesn't matter when the run-off election is held, it will basically double the cost of the election. Also, regardless of whether it is for a House, Senate, or Commissioner of Revenue seat, the cost will be the same if a second election is needed.

Locality: City of Roanoke **Estimated Fiscal Impact:** \$78,466.00

With a consistent increase in the number of third party candidates, the likelihood that a single candidate does not receive 50% of total votes is high. Each run-off would incur the same cost as a regular election. The proposed legislation, as written, does not address whether a period of absentee voting would be required or what types of advertising would be required. These could potentially reduce costs if not required.

Locality: Henrico County **Estimated Fiscal Impact:** \$450,000.00

The estimated fiscal impact consists of the cost of a county-wide election. This bill does not apply to elections to the House of Representatives, the General Assembly, or local offices. Also, as other bills similar to this have specifically stated the United States Senate, it is unclear as to whether this bill would force a run-off election for those seats as well.

Locality: Rockingham County

Estimated Fiscal Impact: \$30,000.00

Costs are estimated at \$30,000 per run-off election. Would notices be required to be sent to all voters (45,000 registered voters in the County = \$7,200) or to only those that voted? What happens if results of the run-off are not above 50%?

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**Locality:** Spotsylvania County

**Estimated Fiscal Impact:** \$30,000.00

This estimate assumes a run-off election for a statewide office only.

State office: \$30,000  
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