

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB1581

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Price

3. Committee: Privileges and Elections

4. Title: Recounts; special election to be held in the case of a tie vote.

5. Summary: Provides that if, after a recount of an election, the recount court finds that each party to the recount has received an equal number of votes, there shall be a special election to determine which candidate is elected to the office. This provision would not apply in cases of recounts of elections for Governor, Lieutenant Governor, or Attorney General; the Constitution of Virginia sets out the process for determining a winner in the case of tie votes for statewide offices.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary – see Item 8.

8. Fiscal Implications: This bill requires a special election to determine which candidate is elected to office if a recount determines a tie, except for the election of Governor, Lieutenant Governor, or Attorney General. As stand-alone legislation, the Department of Elections (ELECT) considers implementation of this bill and any responsibilities associated with conducting a special election outside of the normal November general election cycle, if so called, to be “routine,” and does not require additional funding. However, the agency will review all electoral legislation likely to be enacted prior to the passage by each house. If the aggregate number of “routine” bills likely to pass either house is unusually large, it is possible the agency will require additional resources. If so, ELECT will identify the costs at that time.

Localities would be responsible for costs associated with conducting a special election, including printing ballots, checking and transporting voting machines, and staffing necessary elections workers.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections and localities.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/24/2018