

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB198

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

2. Patron: Price

3. Committee: Passed Both Houses

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, or for elector of President and Vice President. The Constitution of Virginia sets out the process for determining a winner in the case of tie votes for statewide offices. The bill retains the existing process under current law to determine elected candidates by lot in instances where, prior to a recount, two or more persons have an equal number of votes and a higher number than any other person for local elected offices, members of the General Assembly, or of the Congress of the United States, and ties for electors of President and Vice President of the United States.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No state fiscal impact.

8. Fiscal Implications: The proposed legislation is not expected to have a state fiscal impact.

Any potential impact to localities for the administration of special elections to determine the elected candidate after a tie vote is indeterminate.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 3/6/2020