

## **Department of Planning and Budget 2020 Fiscal Impact Statement**

**1. Bill Number:** SB126

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

**2. Patron:** Suetterlein

**3. Committee:** Privileges and Elections

**4. Title:** Method of nominating party candidates; incumbent selection.

**5. Summary:** Removes the power of incumbent officeholders in some cases to insist on a primary as the method of nominating political party candidates and removes the power of General Assembly incumbents seeking reelection to determine the method of nomination. These provisions of law were held to be unconstitutional by the United States Court of Appeals for the Fourth Circuit in 6th Cong. Dist. Republican Comm. v. Alcorn, 913 F.3d 393 (January 9, 2019). The bill does not affect the current power of duly constituted authorities of the political party to determine the method of nominating party candidates.

**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.

**9. Specific Agency or Political Subdivisions Affected:** The Department of Elections, State Board of Elections, and General Registrars

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

Date: 1/20/2020