

Department of Planning and Budget

2002 Fiscal Impact Statement

1. Bill Number SB131

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

2. Patron Stolle

3. Committee Passed both houses

4. Title Constitutional amendment claims of actual innocence.

5. Summary/Purpose:

Provides for a referendum at the November 5, 2002, election to approve or reject an amendment to permit the Supreme Court to consider, as part of its original jurisdiction, claims of actual innocence presented by convicted felons in the cases and manner provided by the General Assembly.

6. Fiscal Impact Estimates are:

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2001-02			
2002-03	\$270,000		GF
2003-04			

7. Budget amendment necessary: Yes, SB30, Item 92

8. Fiscal implications:

Whenever questions are to be submitted to voters in a statewide referendum, sections 30-19.9 and 30-19.10 of the Code require that the State Board of Elections (1) publish prior to the referendum a paid notice of explanation in major daily newspapers across the state, (2) publish a brochure or booklet explaining the referendum in sufficient number to provide a copy to any interested person, and (3) post an explanation at each polling place on the day of the election.

Based on the experience of constitutional amendments on the ballot two years ago, the paid newspaper advertising would cost about \$100,000. Cost to publish the required brochures and posters is estimated at \$100,000.

The publication estimate assumes printing 400,000 brochures, enough for the 134 registration offices in the state to distribute to 10 percent of the approximately 4.0 million registered voters in Virginia. Brochures are assumed to be printed two sides on 8 1/2 by 11 paper. Printing costs for the poster assume publication of 2,270 copies of posters sized 11 by 17 inches, enough for each of the 2,264 polling places in the state.)

Note that, should there be additional questions or proposed Constitutional amendments on the ballot, costs would be higher. For each additional ballot question, newspaper advertising costs would increase by 20 percent. Printing costs would increase if the additional questions necessitated larger paper stock.

The conferees included only \$50,000 in Fiscal 2003 to cover the "...costs of advertising referenda appearing on the November election 2002 ballot." At least three other referenda were passed by the General Assembly. Using the above assumptions the total cost to SBE to have all four statewide referenda on the 2002 ballot would cost as follows:

First referendum	\$200,000.
Second referendum (@ 20% off first \$200,000)	40,000
Third referendum (@ 20% off first \$200,000)	40,000
Fourth referendum (@ 20% off first \$200,000)	<u>40,000</u>
Total	\$320,000
Amount provided by General Assembly in	
Half-sheet to Item 92#12c	<u>\$50,000</u>
Shortfall	\$270,000

9. Specific agency or political subdivisions affected: State Board of Elections

10. Technical amendment necessary: No

11. Other comments: None

Date: 3/11/02mtb

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cc: Secretary of Administration