

## Department of Planning and Budget

### 2015 Fiscal Impact Statement

**1. Bill Number:** HB1425

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

**2. Patron:** Marshall, D.W.

**3. Committee:** Privileges and Elections

**4. Title:** Elections; run-off elections.

**5. Summary:** Provides that no candidate shall be deemed to have been elected at a general or special election to the United States Senate, the House of Representatives, the General Assembly, or 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 such 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 number of write-in votes cast for an office and the 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 a run-off election following a general election to be held on the first Tuesday in January, and a run-off election following a special election to be held on the fourth Tuesday following the certification by the State Board of Elections of the results of the special election. If a recount is conducted, the bill requires the run-off election following a general or special election to be held on the fourth Tuesday following the date of the certification by the court of the results of the recount. The bill prohibits any run-off election from being held on a legal holiday and provides that the run-off election shall instead be held on the next following Tuesday that is not a legal holiday. The bill also provides that in 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.

**6. Budget Amendment Necessary:** Yes – Item 83.

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

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2015	\$0	0.00	-
2016	\$60,000	0.00	General
2017	\$0	0.00	-
2018	\$0	0.00	-
2019	\$0	0.00	-
2020	\$0	0.00	-

2021                      \$0                      0.00                      -

- 8. Fiscal Implications:** HB1425 would impact the Department of Elections by requiring a run-off election for any statewide office not won by a candidate with more than fifty percent of the total votes cast for that office. However, ELECT is unable to predict when a runoff would be required, as the triggering circumstances are entirely based on election day results.

The following estimated costs would be incurred by ELECT whenever such run-off election is triggered:

1. ELECT would need to make technological changes within its Virginia Election and Registration Information System (VERIS) and in other electronic processing systems (i.e. candidate finance system). The mid-level changes to VERIS would cost approximately \$30,000. The cost to update the additional IT systems would total approximately \$30,000 as well. Therefore, the total cost for technological system changes would be approximately \$60,000 in fiscal year 2016 in preparation for any future run-off election.
2. ELECT would need to create an outreach campaign to ensure that voters are fully aware of a pending run-off election once this provision is triggered. The cost of the outreach campaign would be similar to that needed to publicize a constitutional amendment, which was \$131,158 in 2014.
3. ELECT's cost for a statewide election in 2014 was approximately \$110,350 and increases by approximately 2.0% each year. This amount, which would be spent each time a runoff election was held, includes mailing of absentee ballots, reimbursements to localities, and the printing of various forms and materials.
4. ELECT may be required to hire temporary personnel to assist with conducting the runoff election since the time period for a run-off would be during a time when existing staff resources are fully devoted to preparation for the General Assembly session.

- 9. Specific Agency or Political Subdivisions Affected:** Department of Elections; electoral boards; general registrars; and localities.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** This bill is similar to HB1362 (Lingamfelter) and SB742 (Carrico).

cc: Secretary of Administration

Date: January 21, 2015

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