

Department of Planning and Budget

2016 Fiscal Impact Statement

1. Bill Number: SB308-E

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

2. Patron: Hanger

3. Committee: Privileges and Elections

4. Title: Vacancies in constitutional offices; special elections.

5. Summary: Allows the governing body of a county or city in which a vacancy in a constitutional office has occurred to request in its petition for a writ of election that the circuit court order the special election to be held at the next ensuing general election and allows the court to issue such writ. The bill also authorizes the governing body to petition the circuit court to request that no special election be ordered when the vacancy occurs within the 12 months immediately preceding the end of the term of that office and requires the court to grant such a request. The engrossed bill specifies that in the event of a vacancy of an elected constitutional office, the highest ranking eligible deputy officer or eligible full-time assistant attorney shall perform the duties and responsibilities of an elected or appointed constitutional office until the vacancy has been filled.

6. Budget Amendment Necessary: No

7. No Fiscal Impact

8. Fiscal Implications: This legislation would not result in a state fiscal impact. This legislation is not expected to generate any savings for localities because the special election would be held concurrent with the general election.

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

10. Technical Amendment Necessary: None

11. Other Comments: The engrossed bill specifies that the highest ranking eligible deputy officer or highest ranking full-time assistant attorney for the Commonwealth is qualified to fill a constitutional office vacancy. This bill is similar to HB832 (Landes).