

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: HB1733

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

2. Patron: Anderson

3. Committee: Privileges and Elections

4. Title: Removal of public officers from office; recall elections for certain elected and appointed officers.

5. Summary: Provides a process by which elected officers and officers appointed to an elected office may be recalled and removed from office. The recall process is initiated by a petition signed by a number of registered voters residing within the jurisdiction of the officer equal to 20 percent of the total number of votes cast at the last election for the office the officer holds. The bill requires the timing and conduct of the recall election to comply with the provisions governing special elections. Any registered voter qualified to vote for the officer subject to the recall may vote in the recall election. If a majority of the votes are for removal of the officer, the officer is removed from office and the vacancy is filled in accordance with law. The bill retains the statutory reasons for removal. The bill retains the process for removal by the courts for officers appointed for a term certain.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate – see Item 8.

8. Fiscal Implications: The proposed legislation may have a fiscal impact; however, it is not possible for the Department of Elections (ELECT) to estimate the cost because it will be determined by the number and frequency of recall elections. ELECT also may incur costs to update instructions and guidance documents to include translation, and, if needed, changes to web materials, printing and distribution of forms, additional support for staff to research Code sections and update forms impacted by the legislation, and training to assure officers of election and voters are aware of any changes.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections, State Board of Elections, local electoral boards, and localities.

10. Technical Amendment Necessary: No.

11. Other Comments: None.