

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: HB427

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

2. Patron: Marshall

3. Committee: Privileges and Elections

4. Title: Filling vacancies in the United States Senate.

5. Summary: Removes the language limiting the date at which a special election can be held to fill a vacancy occurring in the representation of the Commonwealth in the United States Senate. Currently, when such a vacancy occurs, the date for the special election to fill the vacancy is either the next November general election or the second next November general election. Current law also gives the Governor the authority to make a temporary appointment to fill such a vacancy; the bill removes that authority. The bill allows the Governor to immediately issue a writ to call an election upon receipt of written notification by a Senator or Senator-elect of his resignation, rather than wait for the vacancy to actually occur, and makes the Senator's or Senator-elect's resignation irrevocable after the date stated by him for his resignation or after the forty-fifth day before the date set for the special election.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: This bill removes the requirement that a special election to fill a vacancy in the representation of the Commonwealth in the United States Senate must occur in November general elections. As stand-alone legislation, the Department of Elections (ELECT) considers implementation of this bill and any responsibilities associated with conducting a special election outside of the normal November general election cycle, if so called, to be “routine,” and does not require additional funding. However, the agency will review all electoral legislation likely to be enacted prior to the passage by each house. If the aggregate number of “routine” bills likely to pass either house is unusually large, it is possible the agency will require additional resources. If so, ELECT will identify the costs at that time.

Localities would be responsible for costs associated with conducting a special election, including printing ballots, checking and transporting voting machines, and staffing necessary elections workers.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/24/2018