

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB198-S1

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

2. Patron: Price

3. Committee: Privileges and Elections

4. Title: Recounts; special election to be held in the case of a tie vote.

5. Summary: Provides that if, after a recount of an election, the recount court finds that each party to the recount has received an equal number of votes, there shall be a special election to determine which candidate is elected to the office. This provision would not apply in cases of recounts of elections for Governor, Lieutenant Governor, or Attorney General; or for elector of President and Vice President. The Constitution of Virginia sets out the process for determining a winner in the case of tie votes for statewide offices.

The Senate substitute also provides if, prior to a recount, two or more persons have an equal number of votes for any county, city, town, or district office, and a higher number than any other person, the electoral board shall proceed publicly to determine by lot which of the candidates shall be declared elected. If, prior to a recount, any two or more persons have an equal number of votes and a higher number than any other person for member of the General Assembly or of the Congress of the United States, or if any two or more persons have an equal number of votes and a higher number than any other person for elector of President and Vice President of the United States, the State Board of Elections shall proceed publicly to determine by lot which of them shall be declared elected.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No state fiscal impact.

8. Fiscal Implications: The proposed legislation is not expected to have a state fiscal impact.

Any potential impact to localities for the administration of special elections to determine the elected candidate after a tie vote is indeterminate.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/26/2020