

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** HB 1074 2<sup>nd</sup> Edition

**SHORT TITLE:** Election Law Changes -- 1

**SPONSOR(S):** Rep. Alexander

**FISCAL IMPACT**

Yes ( )      No (X)      No Estimate Available ( )

FY 1999-00   FY 2000-01   FY 2001-02   FY 2002-03   FY 2003-04

**REVENUES**

**EXPENDITURES**

No fiscal impact.

**POSITIONS:**

**PRINCIPAL DEPARTMENT(S) &**

**PROGRAM(S) AFFECTED:** State Board of Elections, Judicial Branch.

**EFFECTIVE DATE:**

Section 1 is effective when it becomes law except for the State Board of Elections rules are effective at any time and the section applies to any contested cases commenced on or after the act becomes law. Sections 2 and 3 are effective October 1, 1999 and apply to offenses committed on or after that date. Section 4 is effective when it becomes law and expires on January 1, 2002.

**BILL SUMMARY:**

**ELECTION LAW CHANGES-1.** TO MAKE CHANGES IN THE ELECTION LAWS. Blank bill.

**Source:** Institute of Government, Daily Bulletin, April 15, 1999.

**ELECTION LAW CHANGES-1.** Intro. 4/15/99. House committee substitute makes the following changes to 1st edition. Replaces blank bill with AN ACT TO EXEMPT THE STATE BOARD OF ELECTIONS AND ITS EXECUTIVE SECRETARY-DIRECTOR FROM THE ADMINISTRATIVE PROCEDURE ACT; TO REQUIRE THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY; TO ESTABLISH THE CLASS 2 MISDEMEANOR

OF AN ELECTION OFFICIAL OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT WRITTEN AUTHORIZATION; AND TO ALLOW COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT, WITH APPROVAL BY THE STATE BOARD OF ELECTIONS. Amends GS 150B-1(c), 163-278.34(a1), 163-82.5A, and 163-130A as title indicates. The provision regarding out-of-precinct voting places expires Jan. 1, 2002.

**Source: Institute of Government, Daily Bulletin, April 21, 1999.**

**ELECTION LAW CHANGES-1.** Intro. 4/15/99. House committee substitute makes the following changes to 2nd edition. (1) Deletes provisions exempting State Board of Elections and Executive Secretary-Director of that board from the Administrative Procedures Act; (2) Changes violation of bill's provision regarding designated person's failure to turn in a signed voter registration from original bill's Class I felony to Class 2 misdemeanor. (3) Changes title to read "AN ACT TO REQUIRE THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY AND MAKE VIOLATION A CLASS 2 MISDEMEANOR; TO ESTABLISH THE CLASS 2 MISDEMEANOR OF AN ELECTION OFFICIAL OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT WRITTEN AUTHORIZATION; AND TO ALLOW COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT, WITH APPROVAL BY THE STATE BOARD OF ELECTIONS."

**Source: Institute of Government, Daily Bulletin, April 23, 1999.**

#### **ASSUMPTIONS AND METHODOLOGY:**

##### State Board of Elections

The State Board of Elections believes that the bill would have a minimal fiscal impact. Section 1 and 2 would require investigation by the State Board of Elections but could be absorbed with existing resources. In section 3, county boards of elections would incur costs to set up a precinct and the costs would be similar to current costs for the operation of a precinct. The State Board of Elections is unable to estimate the costs to the county. However, it would vary from county to county. The Fiscal Research Division believes that the fiscal impact could be absorbed using existing resources.

##### Judicial Branch

The Fiscal Research Division believes that the bill would have a minimal impact. Neither the Administrative Office of the Courts (AOC) nor the Fiscal Research Division can predict with any accuracy how often a Class 2 misdemeanor would occur under this bill. The offense would occur whenever a person responsible for submitting signed registration application forms to the county attempted to sell completed forms or require payment for delivery. The bill also makes altering a voter application form/registration record without the applicant's/voter's authorization a Class 2 misdemeanor. The Fiscal Research Division believes that any fiscal impact could be managed with current resources.

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION 733-4910**

**PREPARED BY:** Tammy Lester

**APPROVED BY:** Tom Covington

**DATE:** Tuesday, April 27, 1999



**Signed Copy Located in the NCGA Principal Clerk's Offices**