

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING AN ADJUSTMENT IN THE REIMBURSEMENT RATES THE STATE PAYS COUNTY GOVERNMENTS FOR COSTS ASSOCIATED WITH ELECTIONS INVOLVING STATEWIDE BALLOT MEASURES.

Prime Sponsors: Representative Ferrandino  
Senator Steadman

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Date Prepared: February 22, 2012

**Summary of Amendments Made to the Bill After the 02/22/12 Legislative Council Staff Revised Fiscal Note Was Prepared**

None.

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

☐

Concurs

☐

Does Not Concur

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Updated Analysis

**Reason for Update**

The Legislative Council Staff Fiscal Note dated February 22, 2012 indicates that while the bill will cost \$233,128, it indicates that an appropriation of \$156,680 is required. The lower amount is identified because the line item in the Long Bill is over-appropriated by \$76,448. JBC staff practice is to appropriate the cost of the bill in the appropriations clause. Therefore, the appropriation clause identified below appropriates the full cost of the bill.

**Amendments/Appropriation Status**

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$233,128 cash funds from the Department of State Cash Fund for FY 2012-13 to increase the appropriation for local election reimbursement as required by the bill.

**Bill Sponsor Amendments**

Staff is not aware of any sponsor amendments to be offered.

**Points to Consider**

The FY 2012-13 Long Bill has been introduced in the House. Based on existing appropriations and existing law, the Department of State Cash Fund has a projected fund balance at the beginning of FY 2012-13 of \$5.2 million. This bill and several other bills pending in the General Assembly

potentially increase appropriations by \$2.0 million and increase revenues by \$0.7 million. The combined effect would reduce the reserve to \$3.5 million by the end of FY 2012-13, which is about \$475,000 above the required statutory reserve for the Fund.

The following table details the anticipated revenues and potential appropriations, including appropriations required for this bill, from the Department of State Cash Fund for FY 2011-12 and FY 2012-13.

<b>Department of State Cash Fund Projected Revenues and Appropriations (Including Potential Legislation that has been introduced) /a</b>			
	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>Notes</b>
Beginning Balance	\$5,509,682	\$4,796,360	
Anticipated Revenues	17,206,563	17,451,899	
Long Bill	(15,289,053)	(18,199,505)	FY 2012-13 Long Bill as introduced in the House
H.B. 12-1197 (FY 2011-12 Supplemental)	(1,627,533)	0	
FY 2011 Legislation	(595,329)	0	
S.B. 12-123 (Enhance Secretary of State On-line Filing System)	0	(525,788)	
S.B. 12-135 (Secretary State Post Election Night Returns On-line)	(776,460)	0	Appropriation (if passed) is authorized until 7/1/13
H.B. 12-1143 (Adjust County Reimbursement Rate for Elections)	0	(233,128)	
H.B. 12-1209 (Uniform Electronic Legal Material Act)	0	(198,912)	
H.B. 12-1236 (Modify Regulation Charitable Solicitation)	0	(41,440)	
H.B. 12-1274 (Regulation Notaries Public DOS Cash Fund)			
Revenue	0	675,511	
Appropriations	<u>0</u>	<u>(231,989)</u>	
Ending Balance Department of State Cash Fund	\$4,427,870	\$3,493,008	
Statutory Fund Balance Reserve	2,791,237	3,017,582	
Excess/(Deficit) of Statutory Reserve	\$1,636,633	\$475,426	