FISCAL IMPACT REPORT

SPONSOR: Campos	DATE TYPED: 02/27/01	HB		
SHORT TITLE: Revise Conduct of Municipal Elections		SB 753		
	ANALYST: Woodlee			

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

SOURCES OF INFORMATION

No Analysis Provided

SUMMARY

Synopsis of Bill

Senate Bill 753 proposes changes to the Municipal Election Code to clarify and to revise the conduct of municipal elections.

Significant Issues

The bill provides that for inspection and certification, the municipal clerk shall ensure that the correct ballot face has been installed on each voting machine, if ballot faces are to be installed. Also, the bill stipulates certain criteria in which a voter may receive assistance in voting and for what reasons. A voter may receive assistance if they are:

1.   Blind;
2.   Physically disabled;
3.   Unable to read or write; and
4.   A member of a language minority who is unable to read well enough to vote.

A voter who needs assistance must verbally request it before receiving the ballot or entering the voting machine. This request is to be noted and initialed in the signature roster by the presiding judge. The bill provides that a person swearing falsely to needing assistance is guilty of perjury. The voter may receive assistance by a person of his or her choice, provided that person is not the voter's employer, an agent of that employer, an officer or agent of the voter's union, or a candidate whose

name appears on the ballot. A member of the precinct board may assist the voter, but cannot disclose the name of any candidate or questions for whom any voter voted.

The bill also provides that the election resolution will include the date and time for absentee voting and early voting. Also, a candidate from a home rule or charter municipality that requires a nominating petition to be submitted must submit that petition with the required number of signatures when filing for a declaration of candidacy.

If precinct officials are unable to obtain the returns from a voting machine, then the county clerk shall dispatch a voting machine technician to the polling place in question. In addition, for assisting the municipal clerk to open the returns, members of the municipality's governing body may assist, so long as they are not candidates on the ballot. A district court judge from the municipality may also assist the municipal clerk in opening returns.

SB753 delineates the procedures in which the municipal clerk may request the county clerk to recheck the voting machine. The municipal clerk may request the county clerk to:

1.   Break the seal and unlock the voting machine;
2.   Check the figures shown by the counter on the voting machine;
3.   Insert the cartridge into the voting machine; and
4.   Re-run the printed returns from the voting machine.

The bill clarifies that a recheck may include the voting machine and the voting machine cartridge.

Currently, a municipal clerk is required to publish notice of early voting at least twice, between thirty and forty-five days prior to the election. This bill amends that statute to be between twenty-four and sixty days prior to the election. A notice regarding early voting may be combined with other election publications that are required by law.

Also, the bill stipulates that an absentee ballot application may be rejected by a municipal clerk if the application is missing the voter's social security number or date of birth.

Finally, the bill outlines the form of an early voting ballot. The bill require the early voting ballot:

1.   Be numbered consecutively in the upper right-hand corner, which may be readily and easily detached from the ballot;
2.   Be uniform in size;
3.   Be printed on good quality paper;
4.   Be printed in plain black type;
5.   Have all words and phrases printed correctly and in their proper places; and
6.   Have district and precinct numbers, if applicable.

In addition to these requirement, the bill stipulates specific design of the ballot.

FISCAL IMPLICATIONS

The bill does not contain an appropriation or any significant fiscal implication.

MW/njw