

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5182 S SB	<b>Title:</b> Candidate filing
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of the Secretary of State	.0	147,500	147,500	147,500	.0	0	0	0	.0	0	0	0
Total \$	0.0	147,500	147,500	147,500	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Breakout

NONE

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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5182 S SB	<b>Title:</b> Candidate filing	<b>Agency:</b> 085-Office of the Secretary of State
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State 001-1	147,500	0	147,500	0	0
<b>Total \$</b>	147,500	0	147,500	0	0

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Desiree Omli	Phone: 360-786-7105	Date: 03/08/2023
Agency Preparation: Mike Woods	Phone: (360) 704-5215	Date: 03/10/2023
Agency Approval: Mike Woods	Phone: (360) 704-5215	Date: 03/10/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 03/10/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Changes in SSB 5182 compared to the previous version (SB 5182):

Section 3 has been modified to require that candidates for superior court file declarations of candidacy with the Office of the Secretary of State (OSOS).

This change does not affect the OSOS original cost projections.

Summary of SSB 5182:

Sections 1, 2, 4, 7 extend the time to file for office, both online and in-person, to 8AM to 5PM. It also moves the filing week to the first Monday in May.

Section 3 changes the filing officer for all legislative, court of appeals, and superior court offices to the Secretary of State.

Sections 5 and 6 address candidate filing fees. With the Secretary of State becoming the filing officer for all legislative races, this clarification ensures that counties receive their portion of that filing fee.

Section 8 would move the date that counties have to modify their precinct boundaries before they are closed to changes to 7 days prior to first day candidates can file due to the filing week move in Section 1.

Section 9 grants the Secretary of State's office the ability to set by rule the deadline for submission of candidate statements and photos but must be no earlier than 11 days following the close of filing for include in the State Voters' Pamphlet.

Section 10 grants the County Auditor the ability to set by rule the deadline for submission of candidate statements and photos but must be no earlier than 11 days following the close of filing for inclusion in their local voters pamphlet.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Due to the potential overlap with the certification of the April Special Election, the voter registration system would require modification to allow for precinct boundaries to be updated without modification of the precinct boundaries that are being used to administer the April Special Election. OSOS estimates it would take approximately 300 hours of development time at \$200 per hour, for a total cost of \$60,000. Approximately 500 hours of design, usability, and accessibility testing to would be needed to verify functionality of these changes, for a total cost of \$87,500. OSOS would use contractors for these services.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	147,500	0	147,500	0	0
<b>Total \$</b>			147,500	0	147,500	0	0

### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	147,500		147,500		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	147,500	0	147,500	0	0

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## Part V: New Rule Making Required

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 5182 S SB

**Title:** Candidate filing

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities:
- Counties: Potential indeterminate increases in county staffing costs due the bill's required office hours during candidate filing week.
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: Number of staff each county would require to stay open from 8am to 5pm during candidate filing week; which staff qualify for OT and which are exempt; if auditors' offices will flex time; if staff will flex ti

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

## Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 03/13/2023
Leg. Committee Contact: Desiree Omli	Phone: 360-786-7105	Date: 03/08/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 03/13/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 03/13/2023

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

This fiscal note compares the first substitute version of the bill with the original, SSB 5182 compared to SB 5182.

#### **CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The substitute version of the bill would add superior court candidates to the list of candidates that would be required to file declarations of candidacy with the Secretary of State rather than county auditors.

This change does not affect the fiscal impacts discussed below.

#### **SUMMARY OF CURRENT BILL:**

Sec. 1: would require all county auditors' election offices to be open for in-person declaration of candidacy filing between 8:00 a.m. and 5:00 p.m. beginning the first Monday in May and ending the following Friday.

Sec. 3 (1) (a): would require all candidates for the Legislature, court of appeals and the superior court to shift where they file declarations of candidacy from local county auditors to filing with the Secretary of State.

Sec. 6 (2): when filing fees are paid for a Washington state legislative, state court of appeals, or a superior court judicial office, the fees shall be distributed to the office of the county auditor or auditors whose counties comprise the district. When the district includes multiple counties, the distribution must be an equal division between the counties comprising the district.

Sec. 6 (3) moves a current state law to this new section of chapter 29A.24. When the candidacy filing fees are paid for a city or town office, the county auditor shall transmit fees to the city or town clerk for deposit in the city or town treasury.

Sec. 6 (4): When the candidacy is for any other office, the fees shall be retained by the office of the filing officer.

Sec. 10 (5): County auditors may add administrative rules for producing local voter pamphlets including deadlines for submission of candidates' statements. Candidates' statements shall not be sooner than 11 days following the deadline for filing declarations of candidacy under RCW 29A.24.050.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

The legislation could result in indeterminate impacts for county auditors that have to pay staff overtime for staying open during the bill's required hours during the week of candidate filing.

Thirty-six of the 39 county auditors' offices are open for fewer hours than the legislation would require during candidate filing week. However, office hours can change for candidate filing week. Some counties may arrange to be open special hours during candidate filing week. Other counties not typically open on Fridays may flex their hours for candidate filing week. So, the currently listed auditor office hours do not necessarily reflect the hours that each county auditor will be open during candidate filing week. Therefore, it is not possible to predict the extra number of hours county auditors' offices would have to remain open during candidate filing week in order to meet the requirements of the legislation.

County auditors' staffing impacts resulting from staying open for a greater number of hours for one week are indeterminate. County auditors that would need to pay election staff overtime to accommodate the bill's required hours would vary from county to county. Washington State Association of County Auditors expects there would be an increased cost to some counties, but exact costs cannot be calculated because some counties will require more than one elections clerk, while others may have staff that are exempt from overtime. Because every county's staff requirements, and the

OT eligibility of each staff person will vary significantly, the increase in staffing expenditures is indeterminate.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

The legislation would have no impact on local governments' revenue.

County auditors already transmit city and town candidate filing fees to the cities and towns. Any reduced revenue resulting from the loss of candidate filing fees would be distributed to county auditors from the Secretary of the State, per Sec. 6 (2).

#### **SOURCES**

Thurston County Auditors' Office

Washington State Association of County Auditors

Washington Association of County Officials