

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0680H.02C
Bill No.: HCS for HB 229
Subject: Education, Elementary and Secondary; Elections
Type: Original
Date: March 3, 2021

Bill Summary: This proposal establishes procedures for school board member recall elections.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2022 | FY 2023 | FY 2024 |
| | | | |
| Total Estimated Net Effect on General Revenue | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2022 | FY 2023 | FY 2024 |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2022 | FY 2023 | FY 2024 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2022 | FY 2023 | FY 2024 |
| | | | |
| | | | |
| Total Estimated Net Effect on FTE | 0 | 0 | 0 |

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|-------------------------|-------------------------|-------------------------|
| FUND AFFECTED | FY 2022 | FY 2023 | FY 2024 |
| | | | |
| Local Government | \$0 or (Unknown) | \$0 or (Unknown) | \$0 or (Unknown) |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Secretary of State** and **Department of Elementary and Secondary Education** both assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for those agencies.

In response to a previous version, officials from the **Kansas City Election Board** assumed the cost to conduct a recall election could range from \$20,000 to \$300,000 depending on the size of the entity calling the election. The cost to conduct an election in the Kansas City portion of Jackson County is roughly \$625,000. If an entity such as the KCPS were required to conduct an election and no one else participated, based on their size and voter registration, their costs could potentially be around \$300,000. If a smaller jurisdiction such as Hickman Mills, Center or Raytown School Districts had the same election, based on their size and voter registration, their costs would be much cheaper (\$20,000).

Officials from the **Platte County Board of Elections** assume potential costs for a recall election in a School District with no other participating entities is \$30,000.

Officials from the **St. Louis County Board of Elections** assume the proposal will have no fiscal impact on their organization.

Oversight notes that according to Section 162.089.5 (1) the election authority has three options in which the question to recall a school board member can be submitted to the voters of that district. Those options are at the next general election, at a special election to be called on the first Tuesday after the first Monday in November of odd-numbered years if the date is no fewer than ninety calendar days after the date of notification, and the next general municipal election in which there is a vote for school board member, if that date is no fewer than ninety calendar days after the date of notification.

The cost to local election authorities varies greatly depending on which election the question to recall a school board member would be submitted to voters and which jurisdiction would require the election. Oversight has no way to determine how many recall elections would be held (if any), which election the recall question would be submitted to voters, or what jurisdictions would require the election. Therefore, Oversight will reflect a potential negative unknown cost to local election authorities on the fiscal note.

| <u>FISCAL IMPACT –</u> <u>State Government</u> | FY 2022 (10 Mo.) | FY 2023 | FY 2024 |
|---|---------------------|---------|---------|
| | | | |

| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
|---|--------------------------------|--------------------------------|--------------------------------|
| | | | |
| | | | |
| | | | |
| <u>FISCAL IMPACT – Local Government</u> | FY 2022 (10 Mo.) | FY 2023 | FY 2024 |
| LOCAL POLITICAL SUBDIVISIONS | | | |
| | | | |
| <u>Cost – Local Election Authorities – administering school member recall election (if any)</u> | <u>\$0 or (Unknown)</u> | <u>\$0 or (Unknown)</u> | <u>\$0 or (Unknown)</u> |
| | | | |
| ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS | <u>\$0 or (Unknown)</u> | <u>\$0 or (Unknown)</u> | <u>\$0 or (Unknown)</u> |

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill establishes a recall procedure for school board members. Members may not be recalled during the first 90 days or last 180 days of their term. The recall petition requirements are outlined in the bill and include grounds for which a recall may be called which include but are not limited to: conduct that adversely affects the rights and interests of the public; commission of an act of malfeasance; and moral turpitude.

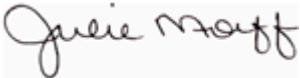
The notice for recall is required to be sent to the Board member's school district and the Board member may file a statement in response to the recall notice of intention. Procedures for the circulation of a petition for recall, the certification of the petition, and the date and manner for the recall ballot language and election are outlined in the bill.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

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Office of the Secretary of State
Department of Elementary and Secondary Education
Kansas City Election Board
Platte County Board of Elections
St. Louis County Board of Elections



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March 3, 2021



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