



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Am. Sub. S.J.R. 5 of the 128th G.A. **Date:** December 8, 2010

Status: As Reported by House Elections and Ethics **Sponsor:** Sen. Husted

Local Impact Statement Procedure Required: No — Not required for joint resolutions

Contents: Proposes a ballot initiative to revise the General Assembly and Congressional redistricting process

State Fiscal Highlights

- Should the resolution be adopted and the measure appear on the ballot for the May 3, 2011 primary, the state would be required to reimburse county boards of elections for putting the item on the ballot. Current law outlines a system for allocating election costs proportionally, depending on the number of items on the ballot and the unit of government on whose behalf the issue appears. These costs are paid by the state on a reimbursement basis.
- To reimburse county boards of elections for the state's share of election costs, the Secretary of State is required to tabulate these expenses and submit this amount to the Controlling Board for approval.
- The state would also incur costs for advertising the ballot language. These costs are paid for by GRF transfers authorized by the Controlling Board to the Secretary of State's Statewide Ballot Advertising Fund (Fund 5FH0).

Local Fiscal Highlights

- Current law specifies how election costs are to be allocated among the state and political subdivisions. The state would be required to reimburse county boards of elections for the costs associated with this ballot issue.
- There were approximately 9,900 precincts open for the November 2010 general election. There will likely be fewer precincts open for the May 2011 election.

Detailed Fiscal Analysis

Redistricting changes

The resolution proposes changes to the Ohio Constitution that alter the redistricting process for General Assembly and Congressional districts, beginning in calendar year 2011. The question is to be put to voters at the May 3, 2011 primary. If approved by the voters, the current Apportionment Board would be replaced with the Ohio Redistricting Commission. The Commission would consist of seven members and be responsible for redrawing General Assembly and Congressional districts based upon the results of the decennial census. The Commission would consist of the following seven members: the Governor, the Auditor of State, the Secretary of State, the Speaker of the House of Representatives, the legislative leader of the largest political party in the House of which the Speaker is not a member, the President of the Senate, and the legislative leader of the largest minority party in the Senate of which the Senate President is not a member. To be adopted, any redistricting plan would require a supermajority of five votes, including votes from at least two members of the Commission who are members of a political party other than the largest one represented on the Commission.

Elections costs

Current law specifies the manner in which election costs are allocated between the state and political subdivisions. These costs vary depending on the mix of state and local issues on the ballot. If this issue were the only item appearing on the May 3, 2011 primary ballot in a precinct, the state would pay all costs associated with the election for that precinct. There were approximately 9,900 precincts open statewide for the general election in November 2010. County boards of elections would presumably reduce the number of precincts open for the May 2011 election. Based on information provided by the Secretary of State concerning special elections held to fill congressional seats in 2006, 2007, and 2008, the average per precinct operating cost was approximately \$1,000.

There are a number of other factors that can affect the total cost of holding a statewide special election, mostly concerning staffing and precinct operating policies established by each county board of elections for each election. The number of voting machines deployed and the number of provisional ballots that would need to be printed also affect costs. In order to obtain state reimbursement for the state's share of election expenses, counties submit expense reports to the Secretary of State. The Secretary of State then submits a request to the Controlling Board to transfer the amounts from GRF appropriation item 911401, Emergency Purposes/Contingencies to the Boards of Elections Reimbursement and Education Fund (Fund 5FG0).

Ballot advertising costs

The state would also incur costs for ballot advertising under Article XVI, Section 1 of the Ohio Constitution, which requires that notice of ballot questions be

published once a week for three consecutive weeks in a newspaper of general circulation in each Ohio county. The costs of advertising would depend on the length of the amendment proposed by this resolution. As a recent example, the combined newspaper advertising costs for the three issues which appeared on the November 2, 2009 general election ballot, were \$567,095. Because it is a single issue, the redistricting language would presumably cost considerably less than that amount to advertise statewide. To pay for these expenses, the Secretary of State submits a Controlling Board request to transfer the amount needed to cover advertising costs from either (1) GRF appropriation item 911401, Emergency Purposes/Contingencies or (2) GRF appropriation item 911441, Ballot Advertising Costs, to the Statewide Ballot Advertising Fund (Fund 5FH0). The amount expended for ballot advertising expenses was \$1.1 million in FY 2010. The amount appropriated for this purpose in FY 2011 is \$300,000.

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