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S.B. 71
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 71's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsor: Sen. Gavarone

Local Impact Statement Procedure Required: Yes

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Highlights

- County boards of elections may incur additional costs to determine the validity or invalidity of a person's candidacy and required filings if there is an increase in protests as allowed under the bill.
- County boards of elections may incur some negligible costs related to updating forms for declarations of candidacy and nominating petitions to provide additional space for name changes as required by the bill.

Detailed Analysis

County boards of elections may incur additional costs to determine the validity or invalidity of a person's candidacy and required filings that could result from an increase in protests under the bill. Specifically, the bill allows *any* elector who is eligible to vote for an office at the general election to file a protest against a primary candidate for that office on certain grounds. This differs from current law, which specifies that the eligible voter filing the protest be of the same political party as the candidate. The party's controlling committee may also do so under current law. Continuing law requires any protest to be filed in writing with the election officials by 4:00 p.m. on the 74th day before the primary election (the 67th day for a write-in candidate). After a protest, the election officials must hold a hearing to determine if a candidate's filing is to be rejected. The bill does not change protests against an independent or nonpartisan candidate or a candidate of a newly formed political party, as they may be challenged by any elector who is eligible to vote for the office on any available ground.

The bill further requires declarations of candidacy and nominating petitions to have a space after the candidate's name that instructs the candidate to provide any other names used within the last five years, other than name changes resulting from marriage, which is addressed

in current law. This change would result in some negligible costs to county boards of elections for updating these candidate forms. Finally, the bill permits county central committees to use a secret ballot process to fill certain vacant partisan elected offices. This provision has no apparent fiscal impact.