

Multiple Agency Fiscal Note Summary

Bill Number: 1932 E S HB	Title: Even-numbered year elections
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	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 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	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	0	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 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

Bill Number: 1932 E S HB	Title: Even-numbered year elections	Agency: 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:

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

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: Greg Vogel	Phone: 360-786-7413	Date: 02/15/2024
Agency Preparation: Bonnie Luntzel	Phone: 360-570-5575	Date: 02/15/2024
Agency Approval: Mike Woods	Phone: (360) 704-5215	Date: 02/15/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/15/2024

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 2SHB 1932 from SHB 1932

Section 2(6)d

Replaces “An ordinance, charter amendment or policy adopted by the legislative body or qualified electors of a city, town, or special purpose district to switch its elections to even-numbered years is not revocable” with “If a city, town, or special purpose district repeals and ordinance, charter amendment, or policy that moved its elections to even-numbered years, the jurisdiction shall transition back to odd-numbered year election by electing each position to one term that is one year shorter in duration than those provided by law. After conclusion of that term, beginning in an odd-numbered, elections for position must be for their prescribed term lengths.”

Adds Section 10 “RCW 3.50.050 and 1984 c 258 s 107 are each amended to read as follows:

The legislative authority of the city or town may, by ordinance, provide that the position of the municipal judge within the city or town shall be an elective position. The ordinance shall provide for the qualifications of the municipal judge which shall be the same as the qualifications necessary for the appointment thereof; and further, shall provide that the municipal judge shall be elected in the same manner as other elective city officials are elected to office, and that the term of the municipal judge shall be for a term of four years commencing on January 1, 1986, and every four years thereafter. Term lengths for municipal judges may be modified to comply with RCW 29A.04.330(6).”

Summary:

Under current law, all city, town, and district general elections shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years.

Sections 2(6) and (7) of this bill would modify the dates for local government elections.

Section 2(6) would allow (but not require) any city, town, or special purpose district to hold its regular elections in even-numbered years.

Section 2(7) would require cities, towns, and special purpose districts to move its regular elections for all elected positions to even-numbered years if its voter turnout is below 40 percent in four consecutive odd-numbered year general elections.

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.

Indeterminate fiscal impact to the Office of the Secretary of State (OSOS).

To date, there is no legal definition for “voter turnout”. OSOS assumes it could mean the total ballots cast divided by registered voters, however that is not set in RCW. Additionally, there is not a consolidated data set available to analyze voter turnout in odd-year elections within cities, towns or special purpose districts throughout Washington State. Therefore,

OSOS cannot predict the number jurisdictions that may be required to move their election dates.

OSOS would experience a fiscal impact if election dates were moved.

In many even-year election pamphlets, the pamphlet size approaches the limits of current printing and binding methods. The additional pages from odd-year elections may increase the size of the even year pamphlet to a point where a more expensive method of printing and binding will be required. Therefore, a combined state and county voters' pamphlet may cost significantly more, and require that the State and County print their Voters' Pamphlets separately.

Following passage of ESHB 2421 in the 2021 session, the state now pays for election costs in both even-years and odd-years. The result is an indeterminate fiscal impact to OSOS until it is known what the fiscal impact at the county level will be. If a district moves their elections to an even year, we expect that it will be possible that the State's even year election cost share will go down. However, that could be offset by an increase in odd year election costs when there are state offices, legislative offices, certain judicial offices, or state measures on the ballot. Additionally, it increases the possibility more than one ballot page would be required. This, we expect, would also increase county election costs, if needed.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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: 1932 E S HB

Title: Even-numbered year elections

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

Legislation Impacts:

- Cities: Indeterminate changes to election-related costs
- Counties: Indeterminate changes to election-related costs; changes to reimbursements; change in staffing and training
- Special Districts: Indeterminate changes to election-related costs
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option: Jurisdictions would be allowed to move local election to even-numbered years
- Key variables cannot be estimated with certainty at this time: Net change in the number of ballot pages; need for adjustments to staffing and training; number of local governments electing to shift election dates, number of jurisdictions electing to move back to odd-year elections, number of municipal judge positions affected by change in election years

Estimated revenue impacts to:

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

Estimated expenditure impacts to:

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

Part III: Preparation and Approval

Fiscal Note Analyst: Allan Johnson	Phone: 360-725-5033	Date: 02/15/2024
Leg. Committee Contact: Greg Vogel	Phone: 360-786-7413	Date: 02/15/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/15/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/15/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

This fiscal note compares ESHB 1932 to HB 1932.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

Removes the provision that changes to even-year elections are not revocable.

Removes the requirement for jurisdictions to move to even-year elections if their voter participation is lower than the state average.

Allows term lengths for municipal judges to be modified to comply with RCW 29A.04.330(6).

SUMMARY OF CURRENT BILL VERSION:

Cities, towns, and certain special purpose districts may choose to hold their elections in even-numbered years instead of odd-numbered years.

To select this option, the legislative body of the jurisdiction may adopt an ordinance or policy, or voters may approve an ordinance or charter amendment referred by the legislative body. A city, town, or special purpose district moving its elections through adoption of an ordinance or policy by its legislative body must hold two public hearings at least 30 days apart to consider public input, and a final vote may not occur sooner than 30 days after the second hearing.

If a jurisdiction chooses to switch its elections to even-numbered years, the term lengths of officers elected in the next odd-year election must be one year shorter than provided by law.

The choice to switch must be adopted before January 15th of an odd-numbered year to take effect in that election cycle.

A jurisdiction that chooses to switch back to odd-numbered year elections must transition back with similarly shortened terms. Terms lengths of officers elected in the subsequent odd-year election shall be one year shorter than provided by law.

The election of municipal judges may be moved to even-number years in a manner similar to that for other elected officials of the municipality.

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.

CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

Changes could shift expenditure impacts related to changes in the election cycles for municipal judges. This version could result in an indeterminate increase in expenditure impacts due to an unknown number of local jurisdictions electing to move election cycles back to odd years. The overall analysis remains indeterminate.

EXPENDITURE IMPACTS OF CURRENT BILL:

This legislation could result in a significant but indeterminate change in expenditures by local governments. The net change in expenditure impacts cannot be calculated and are indeterminate.

County auditors could experience a change in personnel and training costs as elections staff are hired or released in response to the change in workload. The reduction of ballot measures in odd-numbered years could make it difficult for some currently permanent staff to be retained on an ongoing basis. The Washington State Association of County Auditors (WSACA) indicates that with the loss of revenue from reimbursements from local jurisdictions in odd years, county

legislative authorities may not fund elections operations at the current rate. These impacts are indeterminate, however and will depend upon the net change in the number of staff dismissed and hired, as well as the scale of recruitment and training that may be required.

In addition to impacts related to elections staff, counties may incur costs related to the retention of temporary election board workers. WSACA indicates that increasing the time interval between elections may lead to challenges retaining temporary workers and may require additional re-training for returning workers. These impacts are indeterminate, however, and will depend on the scale of recruitment and training that may be required.

Direct elections costs for things like ballot and voter pamphlet printing would likely increase in even-numbered year elections, as there would be more items on the ballot. The net change in the number of ballot pages needed to conduct primary and general elections cannot be predicted, however. The number of additional ballot pages would vary by jurisdiction and supplemental costs for items such as printing, postage, assembly, labor and other factors. In addition, variables such as the number of voters receiving the additional pages and the length of page needed to accommodate all ballot measures would also impact expenditures. Costs associated with an increase or decrease in ballot printing costs, postage, and ballot processing costs related to a change in the number of ballot pages cannot be predicted in advance and are indeterminate.

In addition to increased expenditures for supplemental ballot pages, changes are also expected for costs such as those associated with proofing ballots and providing voter pamphlets. WSACA anticipates that the direct costs associated with elections that would be avoided from not holding elections in odd-numbered years would likely be pushed in even-numbered years, with a net effect of little impact on direct election costs. The exact magnitude of this impact, however, is indeterminate.

Jurisdictions may incur costs to revise local provisions relating to the election of councils or boards of directors. These costs cannot be estimated with accuracy and are indeterminate.

Jurisdictions needing to conduct standard elections or other ballot measures during odd-numbered election years may experience a significant increase in costs as they would incur a larger proportional cost related to the election. The need for incurring these costs will depend upon unique circumstances that cannot be predicted in advance. Associated impacts on expenditures are indeterminate.

WSACA indicates that in order to comply with federal elections law, elections offices must contact voters at least once annually. In the absence of odd-numbered year elections, this would require that counties send mailers at an additional cost of approximately \$1 per voter to cover printing, postage and processing costs. This expenditure would impact both counties, and cities that are billed for voter registration costs. The statewide magnitude of this expenditure impact is indeterminate, as it would depend on the number of registered voters in a given year, as well as which jurisdictions, if any choose to eliminate local elections in odd-numbered years.

Counties may also incur additional costs related to maintaining voter lists and processing undeliverable ballots, according to WSACA, as address updates are requested from voters during and after elections in response to undeliverable ballots. These costs would likely increase in even-numbered year elections if odd-numbered year elections were eliminated, but the magnitude of that impact is indeterminate.

Election costs are apportioned to all jurisdictions participating in an election. As a result cities and special districts are likely to experience an indeterminate change in election costs for changes to any election by other local jurisdictions. This impact 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.

CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

Changes could increase revenue impacts related to changes in the election cycles for municipal judges, this version could result in an indeterminate decrease in impacts due to an unknown number of local jurisdictions electing to move election cycles back to odd years. The overall analysis remains indeterminate but likely negative.

REVENUE IMPACTS OF CURRENT BILL:

This legislation could result in an indeterminate but significant decrease in revenue to local governments.

According to WSACA, a large portion of county funding for elections operations comes from billing local jurisdictions for their prorated amount of elections costs, and counties experiencing a reduction in the number of odd-year elections would see an indeterminate decrease in this revenue stream. A portion of odd-year reimbursements, however, go toward covering operational costs such as staff salaries, hardware and software maintenance, building charges, phones, and software subscriptions. With a reduction in the number of elections in odd-numbered years, counties would lose an indeterminate amount of revenue from local reimbursements allocated for covering these costs.

Even though even-year revenue may increase slightly due to increases in factors such as ballot length and additional pages, it is unlikely that revenue increases related to even-year reimbursements will offset the odd-year reimbursement decrease.

It is unknown how much local reimbursement revenue from cities and other local governments to counties may decrease statewide, as well as what fraction of reimbursements for any given election is tied to direct elections costs versus operational costs, so the magnitude of this revenue impact is indeterminate.

SOURCES:

Association of Washington Cities

Local Government Fiscal Note Program, FN HB 1727 (2022)

Office of the Secretary of State

Washington Association of County Officials

Washington State Association of County Auditors

Washington State Association of Counties