

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

Legislative Fiscal Note

BILL NUMBER: House Bill 948 (First Edition)

SHORT TITLE: Repeal Literacy Test.

SPONSOR(S): Representative K. Alexander

	FISCAL IMPACT				
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>	<u>FY 2016-17</u>
EXPENDITURES:					
Secretary of State	\$600				
State Bd of Elections		See Assumptions & Methodology			
POSITIONS (cumulative):					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	State Board of Elections				
EFFECTIVE DATE:	When it becomes law.				

BILL SUMMARY: Subject to approval by voters at the statewide election in November 2012, repeals Section 4 of Article VI of the North Carolina Constitution, which requires persons registering to vote to be able to read and write any section of the Constitution in English. If approved, effective upon certification of the election. (*Source: Bill Digest*)

ASSUMPTIONS AND METHODOLOGY:

Secretary of State

G.S. 147-54.10 requires the Constitutional Amendments Publications Commission, of which the Secretary of State is the Chair, to prepare an explanation of any proposed amendment, revision, or new Constitution. The Commission must send a copy of the summary along with a news release to each county board of elections and make a copy available to any registered voter or representative of the media. A proposed constitutional amendment that impacts voting rights or the voting process must be precleared by the U.S. Department of Justice and requires additional mailings by the Secretary of State.

The Department of the Secretary of State (SOS) estimates a cost of \$600 in FY 2012-13 for postage and supplies to mail notifications and news releases to the media and county boards of elections explaining the proposed amendment.

State Board of Elections

Under G.S. 163-33(8), the State Board of Elections is required to reimburse the county boards of elections for their reasonable additional costs in placing required notices, advertisements, and publications for amendments to the State Constitution. County boards of elections must give notice at least 20 days before the date on which the registration books or records are closed that there will be a general election. The notice must include the following information for that election:

- Date
- Hours the voting places will be open for voting
- A description of the nature and type of election
- The issues, if any, to be submitted to the voters

According to the State Board of Elections, county boards of elections would only incur additional advertising expense if the General Assembly enacts the legislation placing the item on the ballot after the county board of elections would ordinarily provide the required notice. Given that the proposed constitutional amendment would not be placed on the ballot until November 2012, action on this legislation and the required preclearance by the U.S. Department of Justice is likely to occur before the county boards of elections would ordinarily provide the required notices for the November 2012 general election.

In 2011, the State Board of Elections estimated that reimbursing counties for the cost to run a public notice three times in a newspaper for all one hundred counties could be up to \$450,000, if the counties are notified of the constitutional amendment after they would ordinarily provide the required notice and subsequently requested reimbursement. However, the State Board of Elections reports that no counties have requested reimbursement for reasonable additional costs for placing required notices for the constitutional amendments that were placed on the ballot for the November 2010 general election and the May 2012 primary election. Thus the Board does not anticipate county requests for reimbursement due to the proposed legislation.

SOURCES OF DATA: State Board of Elections, Secretary of State

TECHNICAL CONSIDERATIONS: None

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