

Fiscal Note & Local Impact Statement

125th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL:	Sub. H.B. 262	DATE:	March 29, 2004
STATUS:	As Passed by the House	SPONSOR:	Rep. Carmichael
LOCAL IMPACT STATEMENT REQUIRED:	Yes	The as introduced version required local governments to continue paying employees who are also poll workers. The bill is now permissive.	
CONTENTS:	Revises election law to increase the maximum poll worker pay and to permit state and local government employees to work as judges of elections and receive poll worker pay in addition to regular employment compensation and prohibits employees of county boards of elections from engaging in collective bargaining		

State Fiscal Highlights

STATE FUND	FY 2005	FY 2006	FUTURE YEARS
General Revenue Fund and Other State Funds			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential increase	Potential increase	Potential increase

Note: The state fiscal year is July 1 through June 30. For example, FY 2005 is July 1, 2004 – June 30, 2005.

- Permitting state employees to work as judges of elections may result in a potential cost increase if an agency uses overtime or outsourcing to complete that employee's work during his or her absence.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2004	FY 2005	FUTURE YEARS
Counties			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential increase up to \$940,000 or more	Potential increase up to \$940,000 or more	Potential increase up to \$940,000 or more
Other Political Subdivisions			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential increase	Potential increase	Potential increase

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- The increase in per diem pay for judges may increase the costs for county boards of elections.
- Statewide the annual increase in costs could be as much as \$940,000 or more, depending on the number of poll workers and the number of elections in a year.
- Permitting local government employees to work as judges of elections may result in a potential cost increase if an agency uses overtime or outsourcing to complete that employee's work during their absence.

Detailed Fiscal Analysis

Provisions of the Bill

The bill revises current law in the following ways:

- Increases the maximum per diem pay for individuals serving as judges of an election from \$85 to \$95.
- Permits employees of the state and political subdivisions to work as judges of elections, provided they are not election officials or public school

teachers.

- Allows employees of the state and political subdivisions working as poll workers to receive poll worker pay, in addition to their regular compensation. Political subdivisions must pass a resolution permitting employees to receive regular compensation in addition to poll worker pay. The director of a state agency must also authorize the compensation for employees of the agency. Eliminates required ballot language pertaining to local option elections dealing with the sales of alcoholic beverages at a specific location.
- Prohibits public employers from engaging in collective bargaining with employees of county boards of elections.

Per Diem Pay Increase Provision

The provision increasing the maximum per diem pay for judges may increase the costs of an election to the county. As of November 2002, there were 11,756 voting precincts in the state of Ohio. Each precinct employs approximately four, but can have as many as six judges per election. Assuming each precinct employs only four judges per election, compensates judges at the current maximum rate of \$85 per diem, and that these precincts compensate judges at the increased rate established in the bill, there is a potential increase in cost of \$470,240 per election. Assuming two elections per year, the potential annual increase would be \$940,480. Potential costs would be higher than this if there are more than four judges or more than two elections in a year.

State and Local Government Employees Provisions

The bill allows state and local government employees to serve as election judges. Whether or not leave with pay may be granted for this service is determined by the state agency or political subdivision. Leave with pay for state employees is subject to the conditions and terms set forth by the head of the state agency.

For employees of a county office or other county entity, the employee's appointing authority may permit leave with pay. This will be done in accordance with a resolution, passed by the board of county commissioners, that sets forth the terms and conditions for that leave.

Employees of other political subdivisions within the state may also receive leave with pay. This leave will also be subject to the terms and conditions set forth in an ordinance or resolution passed by the legislative authority of that political subdivision.

These provisions could result in a potential increase in costs if the state agency, county, or other political subdivision elects to permit leave with pay for employees, and then uses overtime or outsourcing to complete the work of those employees during their absence.

The bill prohibits collective bargaining between county boards of elections and their employees. The Legislative Service Commission contacted 15 county boards of elections. All indicated that Lucas County is the only county that is known to engage in collective bargaining. Unionization can lead to collective bargaining costs, and potentially higher salaries. The bill could reduce or prevent these costs.

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