



Ohio Legislative Service Commission

Terry Steele

Fiscal Note & Local Impact Statement

Bill: H.J.R. 15 of the 128th G.A.

Date: May 26, 2010

Status: As Reported by House Elections and Ethics

Sponsor: Reps. Letson and Garrison

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

Contents: Proposes to amend Article XI of the Constitution of the state of Ohio to change the process for apportioning General Assembly districts

State Fiscal Highlights

- The resolution proposes to submit a constitutional amendment to be placed on the statewide ballot on May 4, 2010 that changes the process for apportioning General Assembly districts.
- The proposed amendment requires the General Assembly to make the appropriations necessary for the Secretary of State to collect and analyze election data that is to be provided to the public and the Apportionment Board. The Secretary of State's Elections Division would be responsible for these activities.
- The ballot advertising costs for this ballot measure would depend upon the length of the ballot language, but could be in the tens of thousands of dollars. The costs would be paid from the Statewide Ballot Advertising Fund (Fund 5FH0), a fund in the Secretary of State's budget.

Local Fiscal Highlights

- County boards of elections could incur some small additional expense for printing the language of the proposed amendment on ballots. This would be the case for all counties to print the necessary absent voter and provisional ballots. In addition, counties using optical scan ballots would incur some additional cost for printing this language on ballot forms.

Detailed Fiscal Analysis

The resolution proposes to include a constitutional amendment on the May 4, 2010 ballot to revise the process for apportioning the state for General Assembly districts under Article XI of the Constitution of the state of Ohio. The resolution alters the criteria to be used to create the districts, including a public competition for developing House and Senate district maps, changes the criteria for ultimately selecting a redistricting plan, and creates an "Apportionment Special Tribunal" to review cases and certified questions arising under the proposed amendment. Although the Secretary of State would incur new costs for assembling elections data and supporting the work of the Apportionment Board, the resolution requires the General Assembly to make the appropriations necessary to fund these activities. The General Assembly would also be required to provide sufficient appropriations for the Apportionment Special Tribunal to conduct its work.

Apportionment costs

Secretary of State

Under the proposed amendment, the Elections Division within the Secretary of State's office will incur costs for data collection and calculations that will ultimately be applied by the Apportionment Board to draw the General Assembly districts. The proposed amendment requires the General Assembly to make the appropriations necessary for the Secretary of State to fulfill these responsibilities. The Elections Division is primarily funded through GRF appropriation item 050321, Operating Expenses. The appropriations for this line item are \$2.3 million in each fiscal year for the FY 2010-FY 2011 biennium. This is supplemented by funding from State Special Revenue appropriation item 050603, Business Services Operating Expenses, which is supported by receipts from various business filing fees.

Apportionment Special Tribunal

The proposed amendment also creates a five-member Apportionment Special Tribunal which, instead of the Ohio Supreme Court, would retain all the authority to review cases and certified questions concerning apportionment matters. The resolution requires the General Assembly to make the necessary appropriations to support the Tribunal, including whatever equipment and staff are necessary to support its work.

Ballot costs

If both houses of the General Assembly concur in the resolution, the Secretary of State would 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 Secretary of State spent \$567,095 in ballot advertising costs for the three statewide issues that appeared on the November 2009 ballot. Statewide advertising costs for

H.J.R. 15, because it calls for just one ballot issue, would likely be considerably less. Any such advertising cost will be paid out of the Statewide Ballot Advertising Fund (Fund 5FH0). The revenue source for this fund is GRF transfers from the Controlling Board.

County boards of elections could incur some small additional expense for printing the language of the proposed amendment on ballots. This would be the case for all counties to print the necessary absent voter and provisional ballots. In addition, counties using optical scan ballots would also incur some additional cost for printing this language on ballot forms.

HJR0015HR / cm