

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: House Bill 76 (Third Edition)

SHORT TITLE: School Board Candidate Filing Fee.

SPONSOR(S): Representatives Glazier and Yongue

FISCAL IMPACT (\$)					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>
REVENUES					
State Board of Elections			*Approximately \$3,600 expected in any School Board election year*		
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	NC State Board of Elections				
EFFECTIVE DATE:	January 1, 2010				

BILL SUMMARY:

House Bill 76 amends GS 163-294.2(e) (regarding nonpartisan municipal elections) and GS 163-291(3) (regarding partisan primaries and elections) to set a minimum filing fee for candidates for local boards of education elected on a nonpartisan or partisan basis. Sets the filing fee as 1% of the annual salary of the office sought, unless 1% of the annual salary for that office is less than \$25, in which case a minimum filing fee of \$25 is to be charged, (the filing fee was \$100 in the 1st edition). Amends GS 163-107(a) to clarify that the above filing fee formula applies to all candidates for boards of education, partisan or nonpartisan. Changes the effective date to January 1, 2010, (was, September 1, 2009) and provides that the act applies to elections held on or after that date

Source: *Bill Digest H.B. 76 (02/05/0200)*.

ASSUMPTIONS AND METHODOLOGY:

House Bill 76 would require that for all School Boards candidacies conducted as nonpartisan municipal races, partisan municipal races, or pursuant to the primary election statutes, the filing fee must be the greater of one percent of the annual salary of the office sought and twenty-five dollars (\$25). Current law provides that School Board candidates must pay between a maximum of one percent of the annual salary of the office sought and five dollars (\$5).

In order to make an estimate of the change in Board of Education revenues, it is necessary to know the average salary of board members. Unfortunately, due to inconsistencies in the method of payment to board members, it is impossible to make this estimate without omitting some counties from the calculation. Instead, this analysis uses an all county average of filing fees to determine the change in revenues. According to data provided by the North Carolina School Board Association, the 2008 all county average of School Board filing fees was \$27.75. If candidates are forced to pay the higher of 1% of their salary or \$25, this average would rise to \$44.29. The difference between these numbers multiplied by the number of people who file for School Board elections in a given year will be the increase in revenue for that year. According to data provided by the State Board of Elections, 220 School Board candidates filed for election in 2006. The State Board of Elections emphasized that there is no typical number of candidates for a School Board election. While it is uncertain how many individuals will choose to file for election in the future, this analysis assumes 220 to be typical for any election year. This number multiplied by the \$16.53 difference in average filing fees results in a \$3,637 increase in revenues during any School Board election year.

SOURCES OF DATA: North Carolina School Board Association, North Carolina State Board of Elections

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

PREPARED BY: Marjorie Rutherford

APPROVED BY: John Poteat
on behalf of Marilyn Chism, Director
Fiscal Research Division



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