



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 5** SLS 243ES 24
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | |
|---|---------------------------------|
| Date: November 7, 2024 8:09 AM | Author: MORRIS, JAY |
| Dept./Agy.: Courts and Secretary of State | |
| Subject: Elections for New and Vacant Judgeships | Analyst: Daniel Druilhet |

COURTS OR SEE FISC NOTE GF EX Page 1 of 1

Constitutional amendment to provide for elections to fill newly-created judgeships and judicial vacancies and for exceptions as to courts of limited or specialized jurisdictions. (2/3 - CA13s1(A)) (Item #20)

Current law provides that a vacancy of a judge shall be filled by special election called by the governor and held within twelve months after the day on which the vacancy occurs or judgeship is established, except when the vacancy occurs in the last twelve months of an existing term; provides that an appointee to a vacancy that is filled is ineligible as a candidate at the election to fill the vacancy or newly created judicial office. Proposed law provides that a vacancy or newly created judgeship shall be filled by special election called by the governor and held on the election date first available pursuant to applicable law; provides that if the date of the next gubernatorial or congressional election is within twelve months of the date of when a judgeship is established or vacancy occurred, then the special election shall be held in the next gubernatorial or special election, if the special election can be held on that date in accordance with law; provides that the proposed law (constitutional amendment) shall be submitted to voters at a statewide election to be held on 11/15/25 or at another statewide election authorized by law, whichever occurs first.

| EXPENDITURES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 5 -YEAR TOTAL |
|---------------------|------------|------------------|------------------|------------------|------------------|---------------|
| State Gen. Fd. | \$0 | SEE BELOW | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | \$0 | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | \$0 |
| Annual Total | \$0 | | | | | \$0 |

| REVENUES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 5 -YEAR TOTAL |
|---------------------|------------|------------|------------|------------|------------|---------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

The proposed law will result in a net expenditure increase of \$3.3 M SGF in the Department of State and may result in cost savings in future fiscal years.

Department of State and Local Governments

The proposed constitutional amendment may result in cost savings to the Department of State and local governments when holding a special election for a newly created judgeship or vacancy. The proposed constitutional amendment requires any special election be held on the next available election date unless the date of the next gubernatorial or congressional election date is within twelve months of the vacancy or establishment of a judgeship, in which case the special election must be held at the next gubernatorial or congressional election. If the proposed constitutional amendment changes the timing of elections to align the dates with elections currently scheduled, then the Department of State and local governments may realize cost savings by not having to pay for a special election outside of a regular election date or outside of a statewide election day. For those local governments that would conduct a special election outside of the twelve-month period, the cost normally imposed is \$1,500 per precinct in Local Funds expenditures.

Note: The Department of State may incur additional election costs to place constitutional amendments on the ballot on November 15, 2025. The department has estimated a budget of approximately \$4.1 M in FY 26 for the November election. At this time, no statewide initiatives are contemplated in the budget. If a statewide election is required for voters to contemplate constitutional amendments or other statewide measures, the Department of State will require an additional appropriation in FY 26. The estimated cost of holding a statewide election is \$7 M. An additional \$2.9 M would be needed to transition the election to a statewide election for all parishes and precincts.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
 Deputy Fiscal Officer