Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: CS/CS/HB 5 (CS/CS/SB 336)

INTRODUCER: State Affairs; Local, Federal and Veterans Affairs; Rep. DiCeglie (Sen. Brandes)

SUBJECT: Ballot Measures

DATE: May 3, 2019

I. Amendments Contained in Message:

House Amendment 1 — 980309 to Senate Amendment 1 — 338888 (body with title)
House Amendment 2 — 964263 to House Amendment 1 — 980309 (body)

II. Summary of Amendments Contained in Message:

House Amendment 1 maintains the Senate amendment provision dealing with local discretionary sales tax referenda, and creates additional requirements and processes relating to the constitutional amendment initiative process and petition signature gatherers. Specifically:

- **Circulator Registration Requirements**: Paid petition circulators must register with Secretary of State and consent to jurisdiction in this State.
- **Circulator Compensation**: Prohibits a person from compensating a petition circulator on a per-signature basis. Violations are a first-degree misdemeanor.
- **Petition Forms**: The Division of Elections or supervisors of election make petition forms available to circulators. This is for purposes of tracking the forms.
- **Circulator's Affidavit**: Circulator verifies under penalty of perjury to have witnessed signature on petition.
- **Petition Submission Deadline**: Petition sponsors are fiduciaries who are responsible for ensuring that petitions are submitted within 30 days after they are signed. The sponsor is liable for fines, with exceptions, for petitions submitted late or not submitted at all.
- **Economic Impact Information**: Financial Impact Estimating Conference is to prepare an estimate of economic impact of an initiative amendment on the state and local economies to appear on the ballot. Limited to 150 words. If an initiative amendment will result in increased costs, decreased revenues, a negative impact on the state or local economy, or an indeterminate impact, the ballot must include a statement of such effect in bold font.
- **Effective Date/Application**: Ban on per-signature compensation takes effect upon becoming a law but does not apply to preexisting contracts. Other provisions take effect 30 days after the bill becomes law.

House Amendment 2 corrects a technical cross-reference.