

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1793 - HB 2394

March 7, 2016

**SUMMARY OF BILL:** Requires a special election to fill a vacant United States Senate seat; specifies that if a United States Senator or Representative is elected to fill a vacancy in a special election, then that Senator or Representative will hold office until the term expires for which the predecessor was elected.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – To the extent a U.S. Senate seat becomes vacant, the mandatory increase in local expenditures is estimated to exceed \$9,000,000\* per special election.**

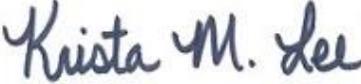
Assumptions:

- Under Tenn. Code Ann. § 2-16-101, vacancies in the U.S. House of Representatives are currently filled through a special election process. Therefore, no impact as the result of filling a vacant Representative seat.
- The last vacancy in a U.S. Senate seat occurred in 1993.
- The provisions of the bill would require a special primary election and a special general election to fill the vacant Senate seat, resulting in two elections per vacancy.
- Based on information provided by the Secretary of State (SOS), any special election related to the provisions of the bill will be funded by local governments.
- Senate vacancies would require statewide special elections.
- Cost projections based on the 2012 Presidential Preference Primary indicates a statewide special election cost that exceeds \$4,500,000 per election.
- The total mandatory increase in local expenditures, to hold the required special elections for any vacant U.S. Senate seat, will exceed \$9,000,000 (\$4,500,000 x 2 elections).

\*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Krista M. Lee in black ink.

Krista M. Lee, Executive Director

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