

Research Plan: Consolidation of Municipal Elections (Senate Bill 2146 and House Bill 2265)

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Due: None Specified Support: none

Deputy Executive Director Approval: Initial: *MMB* Date: *4-27-18*

Executive Director Approval: Initial: *[Signature]* Date: *4/27/18*

Purpose

To study the effects of requiring municipalities in Tennessee to change the date of their municipal elections to coincide with the August or November general election.

Background

Senate Bill 2146, House Bill 2265, would have required municipalities in Tennessee to change the date of municipal elections to coincide with the August or November general election beginning in 2022. To align the terms of elected officials with the new election dates, the bill would have required municipalities to extend terms up to 2 years beyond their regular expiration dates.

Advocates for aligning municipal elections with federal, state, and county elections argue that consolidating elections has the potential to reduce costs by decreasing the number of elections and would likely increase turnout. Others have raised concerns that candidates for municipal offices would have to compete for voters' attention with candidates for federal and state offices, potentially increasing campaign costs and "ballot fatigue," in which an individual votes in races that typically appear at the top of a ballot, such as the race for president, but declines to vote in down-ballot races, such as those for local elected officials, in part because of the amount of time required to fill out the entire ballot.

Step 1. Define the Problem

Taxpayers and municipal governments incur additional costs when municipal elections are held on days other than those already scheduled for county, state, and federal elections. Voter turnout is traditionally lower for such elections. What are the advantages or disadvantages of changing the dates to coincide with other elections?

Step 2. Assemble Some Evidence

- Review referred legislation.
 - Review Senate Bill 2146, House Bill 2265 and related statutes and regulations to determine what the bill does.
 - Review committee hearings on the bill and similar bills from previous sessions, and summarize comments and concerns of committee members, the bill sponsors, and others speaking for or against the bill.
 - Interview the bill's sponsors, proponents, and other stakeholders to determine what is driving this issue. These include, but are not limited to
 - The Office of the Tennessee Secretary of State
 - Local election officials
 - UT County Technical Assistance Service
 - UT Municipal Technical Advisory Service
 - Tennessee County Services Association
 - Tennessee Municipal League
 - Review the fiscal note. Consult with Fiscal Review Committee staff and follow up with agencies submitting support forms to determine the estimated cost and the method and rationale for the estimates.
- Review relevant federal statutes and regulations.
- Review similar laws or regulations in other states.
- Review relevant literature and data sets.
- Convene a panel of experts for May Commission meeting to discuss election issues.

Step 3. Construct Alternatives

Alternatives will be based on

- current law,
- proposed changes in the current law, and
- any additional alternatives drawn from the research and analysis in Step 2.

Each alternative will be described specifically enough to project outcomes in Step 5.

Step 4. Select Criteria

- Cost
 - Direct and indirect
 - To state
 - To local governments
 - Businesses
 - Individuals
- Estimate receptiveness of
 - state government
 - local governments
 - general public
 - other stakeholders

Step 5. Project Outcomes

- Estimate cost.
- Estimate the effectiveness.
- Estimate the acceptability to the state and local governments, the general public, and other affected stakeholders.

Step 6. Confront Trade-offs

- How will the differences between the current law and the other alternatives affect the public?
- What are the pros and cons of the potential solutions?

Step 7. Decide which alternatives to present to the Commission

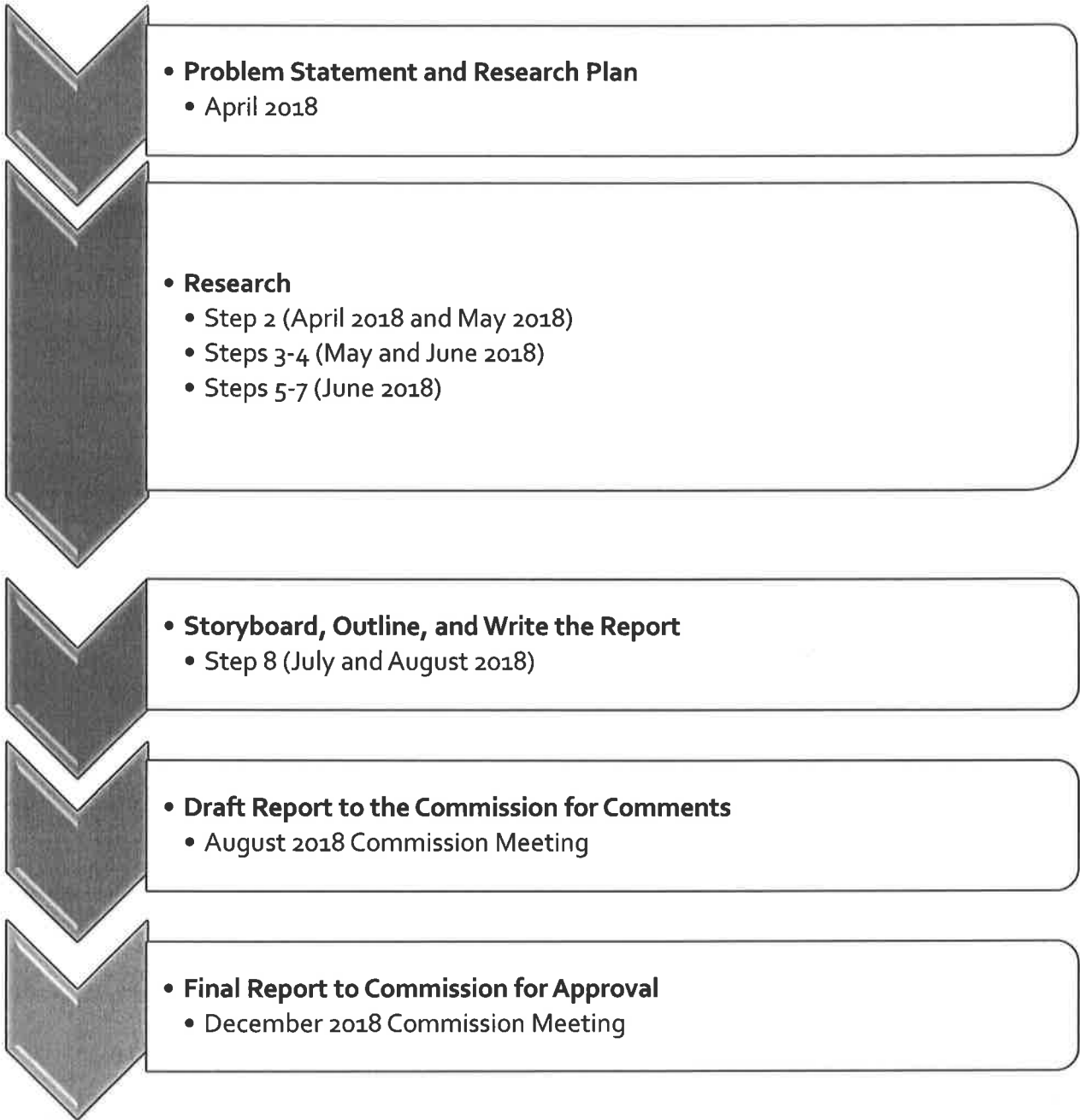
Based on the results of Step 6, choose the alternatives that most practically and realistically resolve the problem.

Step 8. Produce the Draft Report

Develop and present a draft for review and comment to the Commission.

Revisit Steps 5 through 8.

- Respond to feedback from Commission regarding outcome projections, trade-offs, and selection of alternatives.
- Revise and edit the draft to reflect comments of the Commission.
- Submit final report to the Commission for approval.



Senate State and Local Government Committee 1

Amendment No. 1 to SB2146

**Yager
Signature of Sponsor**

AMEND Senate Bill No. 2146*

House Bill No. 2265

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 3, Part 2, is amended by adding the following new section:

(a) Notwithstanding § 6-54-138 or any private act of a municipality to the contrary, the legislative body of a municipality shall, by ordinance, change the date of municipal elections to coincide with the August or November general election beginning in 2022. The ordinance changing the election date must provide for the extension of the terms of elected officials of the municipality necessary to comply with this section, but no term may be extended for more than two (2) years beyond its regular expiration date. Upon action taken pursuant to this subsection (a), the presiding officer of the legislative body shall file a certified copy of the ordinance with the state coordinator of elections.

(b) Nothing in subsection (a) may be construed to remove any incumbent from office or abridge the term of any incumbent prior to the end of the term for which an elected official was selected.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.