

Department of Planning and Budget

2002 Fiscal Impact Statement

1. **Bill Number** HB985

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☒ In Committee ☐ Substitute ☐ Enrolled

2. **Patron** O'Brien

3. **Committee** Senate Privileges and Elections

4. **Title** Recount proceedings.

5. **Summary/Purpose:**

HB985 provides that issues of voter eligibility will not be considered in a recount and that rejected conditional and absentee ballots will not be reexamined. The bill provides for a single recount to determine the vote in a recount proceeding and spells out the steps related to determining types of ballots and voting devices. In the case of optical scan and punch card tabulators, the printed return sheets shall be accepted unless they are not clear or the court orders a further count. If a further count is ordered, the tabulator shall be programmed to set aside write-in votes, overvotes, and undervotes. The ballots thus set aside and other ballots rejected by the tabulator (e.g. damaged ballots) will be counted by hand.

This bill incorporates recommendations of the Joint Subcommittee on Studying Virginia's Election Process and Voting Technologies (HJR681/SJR363 --2001).

6. **No Fiscal Impact**

7. **Budget amendment necessary:** No

8. **Fiscal implications:** None

9. **Specific agency or political subdivisions affected:** Local boards of election, general registrars and the State Board of Elections

10. **Technical amendment necessary:** No

11. **Other comments:** None

Date: 2/28/02gdj

Document: G:\02Legislation\BartonBills\HB985E.Doc

cc: Secretary of Administration