

Commission on Local Government

Estimate of Local Fiscal Impact
2013 General Assembly Session

Bill: HB 2299 **Patron:** Kory **Date:** January 30, 2013

In accordance with the provisions of §30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of the above-referenced legislation:

I. Bill Summary

Provides that an electoral board that reasonably should expect a group of voters who cannot read or communicate in English to seek to vote at a precinct shall cause official sample ballots and any other instructions or notices that are posted or made available in English to also be printed in the language of the group.

II. Fiscal Impact Analysis

The Commission on Local Government (CLG) received fiscal impact statements from 18 localities – the Counties of Arlington, Campbell, Henrico, Pulaski, Rappahannock, Rockingham, and Spotsylvania; the Cities of Chesapeake, Danville, Lynchburg, Norfolk, Richmond, Roanoke, and Winchester; and the Towns of Christiansburg, Louisa, Strasburg, and Wytheville.

The City of Richmond indicated that they would experience an increase in costs, but were unable to provide an estimate. One concern that they noted was that the number of languages they might need to accommodate is unknown. They were also unsure of whether they would bear the cost of translation services.

Four of the responding localities – the Counties of Campbell and Pulaski; the City of Winchester; and the Town of Wytheville – reported that they would not experience a net increase in expenditures.

Eleven of the respondents – the Counties of Arlington, Henrico, Rappahannock, Rockingham, and Spotsylvania; the Cities of Chesapeake, Danville, and Lynchburg; and the Towns of Christiansburg, Louisa, and Strasburg – indicated that they would experience an expenditure increase of under \$5,000.

The Counties of Henrico and Rappahannock and the City of Danville all express concern about the ambiguity of the phrase “reasonable expectation.” Rappahannock County and the Town of Christiansburg also express concern that a “group of voters” is not more specifically defined in the proposed legislation.

The remaining two respondents –the Cities of Norfolk and Roanoke – reported that they would experience an expenditure increase of over \$5,000. Listed below are the expenditure estimates:

Norfolk City:	unknown
Roanoke City:	\$30,000

The City of Roanoke indicated concern over the ambiguity of the phrase “group of voters.” They indicated that their estimate is based upon a one-time start-up cost and that expenses beyond that would depend upon the number of languages that the electoral board must translate.

III. Conclusion

HB 2299 proposes that the electoral board of any county or city that should reasonably expect a group of voters who share a common non-English language and seek to vote at a precinct shall cause to be available at such precinct (i) sufficient official sample ballots in the language of the group and (ii) sufficient copies of official instructions and notices posted at the polls to be made available in the language of the group.

The text of HB 2299 is vague. The phrases “reasonable expectation” and “group of voters” are inadequately defined. Additionally, while the bill addresses a problem with sample ballots, it omits any provisions related to voting ballots. Furthermore, the population threshold that would require a locality to provide sample ballots in a language other than English is not provided.

The provisions of HB 2299 are likely to increase expenditures for counties and cities. Localities with larger and more diverse populations are likely to experience a higher increase in costs because they are more likely to be required to provide ballots in more languages.