

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: SB523-E

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

2. Patron: Obenshain

3. Committee: Privileges and Elections

4. Title: Voter identification; electronic pollbooks to contain photographs of voters.

- 5. Summary:** Requires electronic pollbooks to contain the photographs of registered voters that are obtained by the general registrars in the production of voter photo identification cards or contained in a voter's Department of Motor Vehicles record. The bill also provides that if the electronic pollbook contains the voter's photograph, the officer of election is required to access that photograph and the voter is not required to present one of the statutorily required forms of identification. The bill prohibits lists of voters furnished pursuant to current law from containing any voter's photograph. The bill has a delayed effective date of July 1, 2019.

As engrossed, the bill provides that its provisions shall not become effective unless appropriation effectuating its purposes is included in the 2018 Appropriation Act.

6. Budget Amendment Necessary: Yes – Item 83.

7. Fiscal Impact Estimates: Fiscal impact estimates are preliminary. See Item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2018	-	-	-
2019	-	-	-
2020	\$106,460	-	General Fund
2021	\$106,460	-	General Fund
2022	\$106,460	-	General Fund
2023	\$106,460	-	General Fund
2024	\$106,460	-	General Fund

- 8. Fiscal Implications:** In order to implement the requirements of this legislation, the Department of Elections (ELECT) would have to make several changes to the Virginia Election and Registration Information System (VERIS), the Commonwealth's statewide voter registration system, during fiscal year 2019. The changes to VERIS are needed to cover the processes needed to create and accept the Department of Motor Vehicles (DMV) data, associate it to voters, and then extract and distribute the photos to 133 localities prior to each election. ELECT will also need to modify reports within VERIS to help the general registrars identify which voters have photos. The Department is in the process of updating VERIS and

due to the delayed effective date of this legislation, assumes there is no additional cost for VERIS upgrades.

The Department would need to program and develop updated electronic pollbook software, which the agency indicates it will be able to do internally as well. ELECT would also be required to download updated pictures from DMV's servers at least twice a year (prior to the statewide elections), which is estimated to cost \$41,780 annually (\$20,890 for each download). In some years, the data may need to be downloaded three times a year. ELECT also expects to incur additional costs for storage of the photographic images on the state's computer systems, which has an estimated annual cost of \$64,680.

Finally, localities would have to replace existing electronic pollbooks that do not have the capacity to store and display photographs. The pollbooks would have to be replaced directly as a result of this legislation, rather than being replaced based on replacement/refreshment schedules. ELECT estimates that it would cost approximately \$465 for each replacement pollbook. The Department estimates the total number of pollbooks in use across the Commonwealth is 3,672; however, many localities have recently purchased or are in the process of purchasing new pollbooks. These new pollbooks may not have to be replaced; however, all electronic pollbooks would have to be recertified to enable this feature. The total cost to all localities to replace these pollbooks is thus currently indeterminate.

The legislation requires ELECT to enter into an agreement with DMV's credentials vendor to obtain the photographs. DMV notes that the images will have to be accompanied by a customer number and social security number so that the Department of Elections can match an image to a voter's record. The DMV estimates the information technology costs for changes to the DMV database to implement the provisions of this bill to be a one-time cost of \$34,679. The DMV expects to absorb the one-time implementation cost in fiscal year 2019.

As engrossed, the bill provides that its provisions shall not become effective unless appropriation effectuating its purposes is included in the 2018 Appropriation Act.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections, Department of Motor Vehicles, and localities.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/6/2018