

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: HB2178-E

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Sickles

3. Committee: Privileges and Elections

4. Title: Virginia voter registration system; security plans and procedures; remedying security risks.

5. Summary: Directs the State Board of Elections to promulgate regulations and standards necessary to ensure the security and integrity of the Virginia voter registration system and the supporting technologies utilized by the counties and cities to maintain and record registrant information. The local electoral boards are also required to develop and update annually written plans and procedures to ensure the security and integrity of the supporting technologies. The local electoral boards are further required to report annually to the Department of Elections on its security plans and procedures. The bill authorizes the Department of Elections to limit a locality's access to the Virginia voter registration system if it is determined that the county or city has failed to develop security plans and procedures or to comply with the security standards established by the State Board; such access would be limited as necessary to address and resolve any security risks or to enforce compliance. Records describing protocols for maintaining the security of the Virginia voter registration system and the supporting technologies utilized to maintain and record registrant information are exempted from the Freedom of Information Act and meetings to discuss those protocols are permitted to be closed pursuant to the provisions of the Freedom of Information Act.

As engrossed, the bill requires the State Board of Elections to convene a work group prior to adopting security standards and to establish a standing advisory group of local government IT professionals and general registrars to assist and consult on updates to security standards.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: See Item 8.

8. Fiscal Implications: As stand-alone legislation, the Department of Elections considers implementation of this bill as "routine," and does not require additional funding. However, the agency will review all electoral legislation likely to be enacted prior to the passage by each house. If the aggregate number of "routine" bills likely to pass either house is unusually large, it is possible the agency will require additional resources. If so, the Department of Elections will identify the costs at that time.

The Department of Elections (ELECT) has also received federal funding through the Consolidated Appropriations Act of 2018 to improve the administration of elections for federal office, including to enhance technology and make certain election security improvements. The funds received are Help America Vote Act (HAVA) 2018 Election Security Funds. The program narrative submitted and approved by the federal Election Assistance Commission for the use of HAVA funds included plans to develop a security plan for ELECT systems and templates for local governments to use for security plans and procedures. ELECT has received these funds and is currently in the process of implementing its plan according to the approved program narrative.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.