

## Department of Planning and Budget 2019 Fiscal Impact Statement

**1. Bill Number:** HB2751

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

**2. Patron:** Toscano

**3. Committee:** Privileges and Elections

**4. Title:** County board of supervisors or city council; elections for members, ranked choice voting

**5. Summary:** Provides that elections of members of a county board of supervisors or a city council may be conducted by ranked choice voting, which the bill describes as the method of casting and tabulating votes in which (i) voters rank candidates in order of preference, (ii) tabulation proceeds in rounds in which either a candidate or candidates are elected or the last-place candidate is defeated, and (iii) tabulation ends when the number of candidates elected equals the number of offices to be filled. The bill provides that any costs incurred by the Department of Elections related to technological changes necessary for the implementation of ranked-choice voting pursuant to the bill shall be charged to the localities exercising the option to proceed with ranked-choice voting. The bill has a delayed effective date of July 1, 2020.

**6. Budget Amendment Necessary:** See Item 8.

**7. Fiscal Impact Estimates:** Preliminary; see Item 8.

**8. Fiscal Implications:** This bill would allow a county board of supervisors or city council to choose to conduct elections of its members by ranked choice voting. The ranked choice method of voting would allow voters to rank candidates for the given office in order of preference, with voting tabulations proceeding in rounds in which the candidate with the lowest number of votes is eliminated and those votes are redistributed to the voters' next preferred candidate, if indicated, until the number of remaining candidates equals the number of offices to be filled.

Preliminarily, the Department of Elections (ELECT) has identified numerous system modifications needed to facilitate ranked choice voting and believes the full extent of necessary changes may not be understood until after an extensive review and analysis of all potential impacts on the Virginia Election and Registration Information System (VERIS) and other election-related systems (such as election night results reporting, secure electronic ballot delivery system for military and overseas voters, etc.). ELECT anticipates five contractors (business analyst, programmers, and a project manager) will be needed at an average cost of \$130 per hour for 2,000 hours each (\$1,300,000) for the systems changes

currently identified. This estimate does not include costs for any additional changes that may be required pending further analysis.

The known system changes include the following:

- Add a new type of voting to qualifying offices (currently there is only in-person and absentee)
- Modify all corresponding reports in VERIS to accommodate the new vote type
- Modify pre-election data extracts to include ballot details on ranked choice offices
- Modify the election night reporting system to disseminate ranked choice vote data
- Develop new reports to identify ranked candidates results
- Modify ballot standards to account for ranked choice offices
- Modify ballot proofing processes and data extracts to account for ranked choice offices
- Update the voting machine certification guidelines
- Have each current certified voting machine vendor have their solution recertified after developing any necessary fixes

Development of voter education materials regarding ranked choice voting is also anticipated to be needed. Voting equipment approved for use in the Commonwealth would also have to be recertified that it can accept ranked candidates and provide the required information to carry out the legislation.

The second enactment clause of the bill provides that any costs incurred by ELECT related to changes to technology necessary to implement the bill's provisions shall be charged to localities exercising the option to proceed with ranked choice voting. The third enactment clause also provides a delayed effective date of July 1, 2020. Assuming the bill would not require ELECT to begin preparations to implement ranked choice voting prior to July 1, 2020, and the commitment of one or more localities to exercise this option, a budget amendment would not be needed and the majority of costs would be expected to be supported by committed localities, as costs would not be incurred until future biennia and the ELECT's costs would primarily be technology-related.

Localities may also incur costs to purchase voting equipment if its current equipment was not recertified to accept ranked choice voting.

**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.

Date: 1/23/2019