

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: SB1455

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

2. Patron: Vogel

3. Committee: Privileges and Elections

4. Title: Department of Elections and the State Board of Elections; reorganization as independent agency; me

5. Summary: Continues and reestablishes the Department of Elections as an independent agency that includes a Commissioner of Elections and the State Board of Elections. The State Board is continued as a supervisory board and its membership is increased from three to nine members, with terms of three years after an initial staggering of terms. The Governor, the Speaker of the House of Delegates, and the Senate Committee on Rules shall each appoint three members. The three members appointed by each shall include one member representing the political party receiving the highest number of votes for Governor at the last preceding gubernatorial election, one member representing the party receiving the next highest number of votes for Governor, and one member being a former judge of a court of record. Under the bill, the State Board is responsible for appointing a Commissioner of Elections and has the authority to remove the Commissioner of Elections; such appointment or removal requires an affirmative vote of six of the nine Board members. The bill places restrictions on political activities of State Board members, the Commissioner, and employees of the Department.

The bill has a delayed effective date of February 1, 2023.

6. Budget Amendment Necessary: No; see Item 8.

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

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2019	0	0	N/A
2020	0	0	N/A
2021	0	0	N/A
2022	0	0	N/A
2023	\$7,548	0	General Fund
2024	\$20,397	0	General Fund
2025	\$20,397	0	General Fund

- 8. Fiscal Implications:** The bill would increase membership of the State Board of Elections (the Board) from three to nine members, effective February 1, 2023. The Department of Elections currently pays for travel costs, limited lodging, and parking for Board members.

The Department of Elections estimates additional annual costs of \$20,397 for six additional Board members. This estimate is based on the following annual cost for each of the six new members at current rates: four days of lodging and per diems at a cost of \$640.00 (lodging \$376, per diem \$264), \$588 for parking, and an average travel distance of 416 miles at a cost of \$241.33 per meeting for the nine meetings currently held each year. The average assumed travel distance of 416 was calculated based on the average distance to the State Board of Elections' office from the following three locations: the valley region's Winchester City in the valley region, Accomack County in the eastern region, and Bristol City in the southwestern region of the Commonwealth. Actual travel costs depend on the distance travelled by an individual member.

Due to the bill's delayed effective date of February 1, 2023, additional costs for the six new Board members would begin to be incurred during fiscal year 2023 for over one-third of the year and annually thereafter. No budget amendment is necessary since costs would not begin to be incurred until future biennia.

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

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** None.

Date: 1/21/2019