

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: SB1564-S1

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

2. Patron: Lewis

3. Committee: Privileges and Elections

4. Title: Elections, State Board of; revision of regulations for reviewing and processing candidate petitions.

5. Summary: Directs the State Board of Elections (the State Board) to revise its processes and regulations for reviewing and processing candidate petitions. Such revisions shall provide a process for checking petition signatures that includes a method for determining if a petition signature belongs to an individual whose prior registration has been cancelled and the reason for such cancellation. The process shall provide for the tracking of such information associated with each petition and for the escalation of cases of suspected fraud to the electoral board, the State Board, or the office of the attorney for the Commonwealth, as appropriate. The bill requires the State Board to revise its processes and associated regulations on or before January 1, 2020.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: See Item 8.

8. Fiscal Implications: As stand-alone legislation, the Department of Elections (ELECT) 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 bill requires the State Board of Elections (SBE) to revise its processes and regulations for reviewing and processing candidate petitions. Such revisions shall provide a process for checking signatures on candidate petitions that includes a method for determining if a petition signature belongs to an individual whose prior registration has been cancelled and the reason for such cancellation. The process shall provide for the tracking of such information associated with each petition and for the escalation of cases of suspected fraud revisions.

According to ELECT, local general registrars are currently responsible for verifying the majority of candidate petitions; however, ELECT is responsible for verifying petitions if petitions for independent candidates are submitted to the agency. Currently, ELECT’s

verification process includes confirming if the person signing a petition is a registered voter who is eligible to vote for that particular office.

The Department of Elections anticipates the requirements of the substitute version of the bill can be incorporated into its current petition verification processes with minimal impact that can be absorbed by the agency as stand-alone legislation. This is based on the assumption that the revised review process for candidate petitions does not include verification of the signatures on candidate petitions against any signatures that may be on file in voter registration or other records, as was required by the introduced version of the bill.

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.