

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB1256

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: Price

3. Committee: Privileges and Elections

4. Title: Virginia Redistricting Advisory Commission; established.

5. Summary: The substitute bill establishes the Virginia Redistricting Advisory Commission, an 16-member commission tasked with proposing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly that adhere to certain constitutional and statutory criteria and are based on public input and that will be submitted for consideration and adoption by the General Assembly.

6. Budget Amendment Necessary: See item 8.

7. Fiscal Impact Estimates: Indeterminate.

8. Fiscal Implications: The substitute bill presents costs related to the compensation and reimbursement of reasonable and necessary expenses for legislative members. The Commission is designated to cover these costs out of its appropriations but the number of meetings is unknown at this time, an important factor in estimating this cost. As an illustration, it is estimated these costs would be \$36,000 for 8 legislators over 10 meetings per year. If there is no appropriation, these costs usually fall to the Clerk offices of the House of Delegates and the Senate of Virginia to cover their respective members.

The Department of Corrections does not anticipate any fiscal impacts from the substitute bill that cannot be absorbed within its existing appropriations.

The substitute bill also presents staffing and administrative costs for the operation support of the Commission. These costs are indeterminate at this time as stated by the Division of Legislative Services (DLS), the agency designated to support the Commission. According to DLS, the substitute bill directs the agency to provide staff support to the Commission. The language of that section mirrors what is currently required of DLS in its support of the Joint Reapportionment Committee, so the agency does not anticipate an additional fiscal impact to the agency on this basis alone. However, there are other provisions of the bill which are beyond the agency's current role in the redistricting process that would result in a fiscal impact to the agency.

First, this substitute bill requires a series of public hearings in different regions of the Commonwealth in advance of the 2021 redistricting process. It also requires at least seven public hearings in different parts of the Commonwealth prior to the Commission voting to submit plans for districts to the General Assembly. Additionally, the Commission is specifically required to have a public meeting for the selection of a chairman. This is a minimum of eight meetings, possibly more depending on how many meeting are needed for "a series" of public hearings of the Commission, meetings at which DLS staff would be required to attend and provide legal, technical, and administrative support. Staff will need to have travel expenses, including accommodations if overnight travel is required, reimbursed.

Second, the bill requires there be an application process by which citizens of the Commonwealth may apply to serve as citizen commissioners on the Commission, and DLS has a significant role in that process in several ways: (1) The agency is required to assist the Selection Committee with the development of the application and process; (2) The agency is required to make available a paper application and to provide electronic access for electronic submission of applications; (3) The agency is tasked with acting as the repository for completed applications and accompanying documentation; (4) The agency is directed to review all applications submitted to ensure an applicant's eligibility and removing ineligible applicants from an applicant pool; and (5) The agency is directed to provide to legislative leaders the applications and documentation submitted by applicants who are "eligible for service on the Commission." An FTE will be required to carry out these responsibilities.

Additionally, funds may be necessary to establish and maintain a database of applicants and their submitted applications and documentation.

This substitute bill also requires the adjustment of population data to reflect the reallocation of prison populations. While the bill allows DLS to determine the format of and how the information from the Department of Corrections and the Bureau of Corrections is to be provided, the information will have to be incorporated into the census data provided by the Census Bureau. DLS does not have anyone currently on staff that has the required skill set for this incorporation. Therefore, there may be some costs associated with securing an application vendor to facilitate the incorporation of data.

Finally, It should be noted that \$1,069,500 per year is provided in Item 479 of House Bill 30 to support the needs of a Virginia Redistricting Commission and associated costs.

9. Specific Agency or Political Subdivisions Affected: The Virginia Redistricting Advisory Commission; the Senate of Virginia; the House of Delegates; the Division of Legislative Services; the Department of Corrections.

10. Technical Amendment Necessary: No.

11. Other Comments: None.