

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB360

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|-----------------|-------------------------------------|--------------|--------------------------|------------|--------------------------|-----------|
| 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: Rasoul

3. Committee: Privileges and Elections

4. Title: Elections; voter-nominated open primary elections; ranked choice voting for certain elections.

5. Summary: Establishes a voter-nominated primary election for the offices of Governor, Lieutenant Governor, and Attorney General and for the General Assembly and the United States Senate and House of Representatives. A voter-nominated primary election is an election held for the purpose of selecting candidates to be on the ballot at a general election. All candidates, regardless of political party affiliation, are on a single ballot. The four candidates receiving the highest numbers of votes are the candidates for that office at the general election. The bill provides that a general or special election for such offices is conducted by ranked choice voting. Ranked choice voting is the method of casting and tabulating votes in which (i) voters rank candidates in order of preference, (ii) tabulation proceeds in sequential rounds in which last-place candidates are defeated, and (iii) the candidate with the most votes in the final round is elected.

6. Budget Amendment Necessary: See Item 8.

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

8. Fiscal Implications: This bill would establish voter-nominated primary elections and ranked choice voting for the offices of Governor, Lieutenant Governor, and Attorney General and for the General Assembly and the United States Senate and House of Representatives. The primary process provides that the four candidates receiving the highest number of votes are the candidates for each given office in the general election. Ranked choice voting would then be conducted to determine the winner for each office.

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 (all elections will not use this type of voting)
- 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 choice 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” and “voter-nominated primary” would also be expected to be needed.

Voting equipment approved for use in the Commonwealth would also have to be recertified that could process voter nominated primary and ranked choice candidates and provide the required information to carry out the legislation.

Localities may also incur costs to purchase voting equipment if its current equipment was not certified.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/26/2020