

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB761

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

**2. Patron:** VanValkenburg

**3. Committee:** Privileges and Elections

**4. Title:** Elections; preclearance of certain covered practices required.

**5. Summary:** Requires the governing body of any county, city, or town to submit, prior to enacting or seeking to administer any voting qualification or prerequisite to voting, or any standard, practice, or procedure with respect to voting, that is a covered practice, such qualification, prerequisite, standard, practice, or procedure by either (i) instituting an action in the Court of Appeals for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race or color or membership in a language minority group or (ii) submitting such qualification, prerequisite, standard, practice, or procedure to the Office of the Attorney General. No qualification, prerequisite, standard, practice, or procedure that is a covered practice shall be given effect until (a) the circuit court has entered such judgment, (b) the Attorney General has not interposed an objection within 60 days of the governing body's submission, or (c) upon good cause shown and to facilitate an expedited approval within 60 days of the governing body's submission, the Attorney General has affirmatively indicated that no such objection will be made. The bill is modeled after the Section 5 preclearance requirement of the Voting Rights Act of 1965, as amended. The bill defines "covered practice" as any change to the method of election in a locality, any change to jurisdiction boundaries, any change to election districts or wards, or any change that reduces, consolidates, or relocates voting locations.

**6. Budget Amendment Necessary:** Yes.

**7. Fiscal Impact Estimates:** Preliminary

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2020	-	-	
2021	\$319,976	2	GF
2022	\$319,976	2	GF
2023	\$319,976	2	GF
2024	\$319,976	2	GF
2025	\$319,976	2	GF
2026	\$319,976	2	GF

- 8. Fiscal Implications:** According to the Office of the Attorney General and Department of Law, two additional Attorney Generals are expected to be needed at a total estimated annual cost of \$319,976 for the two positions.

There is no expected fiscal impact to the Department of Elections.

Any potential impact on localities is indeterminate.

- 9. Specific Agency or Political Subdivisions Affected:** Office of the Attorney General and Department of Law, Virginia Department of Elections, State Board of Elections, local general registrars, and localities.

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** None.

Date: 1/27/2020