

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB794

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

2. Patron: McDougle

3. Committee: Privileges and Elections

4. Title: Voter identification; identification containing a photograph required.

5. Summary: Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.

6. Budget Amendment Necessary: Yes; see Item 8.

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

8. Fiscal Implications: This bill would require the Department of Elections (ELECT) to provide free photo identification cards to voters who do not have one of the forms of identification required for voting purposes as specified in subsection B of § 24.2-643, Code of Virginia. ELECT is required to provide to each general register the equipment that would be used to obtain photographs and signatures that would be submitted to the department to create identification cards. ELECT estimates the cost of each set of camera and signature capture pad equipment to be approximately \$704 based on the retail cost of the equipment.

The bill allows the agency to contract out the production and distribution of the voter identification cards and ELECT currently estimates the retail cost to produce the identification cards to be \$7.95 per unit. While these retail costs are the best available estimates at this time, ELECT anticipates actual costs once bid out will likely be less.

The initial estimated one-time cost to purchase camera and signature pad equipment for all localities using the above cost assumptions is \$93,632. The number of localities that may still possess working equipment provided for previous photo identification requirements is unknown and the actual number of localities in need of such equipment may be less. Ongoing annual costs to produce identification cards for an estimated 2,000 voters is \$15,900. In addition to the card production, ongoing costs are expected to replace an estimated five percent of equipment annually. Assuming a replacement rate of 7 units per year, approximately five percent, ongoing equipment replacement costs would be \$4,928. This

brings total estimated costs to \$109,532 the first year cost and \$20,828 in ongoing annual costs thereafter.

The bill eliminates the ability for voters without acceptable forms of identification to vote after signing a statement, subject to Class 5 felony penalties for false statements pursuant to § 24.2-1016, Code of Virginia, that they are the named registered voters they claim to be. These provisions were initially provided by Chapter 1065 and 1064 of the 2020 Acts of Assembly. At that time, the Virginia Criminal Sentencing Commission estimated a fiscal impact of \$0 for periods of imprisonment in state adult correctional facilities. While any estimate of the impact of eliminating this provision cannot be determined, any decrease in the prison or jail population would reduce costs to the state. The Commonwealth currently pays the localities \$15.00 a day for each state-responsible prisoner held in a jail.

Any potential impact to the Department of Motor Vehicles is unknown currently.

- 9. Specific Agency or Political Subdivisions Affected:** Virginia Department of Elections, State Board of Elections, Department of Motor Vehicles, and localities (General Registrars and Electoral Boards).

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** This bill is identical to SB900 and SB968.

January 17, 2023