

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB303

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

2. Patron: Ebbin

3. Committee: Privileges and Elections

4. Title: State Board of Elections; meetings to hear complaints.

5. Summary: Requires the State Board of Elections to meet on the Tuesday immediately preceding any election to hear and consider action on any complaints received by the Department of Elections. The bill also authorizes the State Board to conduct a subsequent meeting, upon the call of the chair or the call of two members, to hear any new complaints. Such meeting shall be held no later than the Friday immediately preceding the election and notice shall be posted on the official website of the Department of Elections no later than 24 hours prior to the meeting. The State Board may refer any complaint to the Attorney General for investigation and prosecution.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: Section 24.2-679, Code of Virginia, requires the State Board of Elections to meet on the third Monday in November after any election for General Assembly or Congressional office, statewide offices, President and Vice-President, and any office shared by more than one locality; and as soon as possible after any special election for any of the offices previously mentioned in order to ascertain the results. Section § 24.2-534, Code of Virginia, also requires the State Board of Elections to meet no later than 14 days after any primary for the previously mentioned offices. The State Board of Elections meets periodically throughout the year to consider regulations, policies or procedures, and to address issues involving regulation of elections. Meetings for the State Board of Elections are also posted on the Department of Elections' website, Department of Planning and Budget's Virginia Regulatory Town Hall website, and Commonwealth Calendar.

The proposed legislation would require additional State Board of Elections meetings, which may result in additional administrative costs for the Department of Elections; however, the estimated state fiscal impact cannot be determined.

9. Specific Agency or Political Subdivisions Affected: Department of Elections and Office of the Attorney General.

10. Technical Amendment Necessary: No.

11. Other Comments: Section 24.2-1019, Code of Virginia, requires any complaint or allegation concerning unlawful conduct under Title 24.2 to be filed with the attorney for the Commonwealth of the county or city in which the alleged violation occurred. In the case of a complaint or allegation concerning the filing of a false statement in a voter registration application, the violation shall be deemed to have occurred in the county or city where the applicant sought to be registered.