

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB439

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

2. Patron: Obenshain

3. Committee: Privileges and Elections

4. Title: Voter ID; photograph and identifying information contained in electronic pollbook; challenge.

5. Summary: Requires electronic pollbooks to contain a photograph and identifying information received by the Department of Elections from the Department of Motor Vehicles for each registered voter for whom the Department of Motor Vehicles has such a photograph and identifying information. The bill prohibits lists of voters furnished pursuant to current law from containing any voter’s photograph or identifying physical information. The bill also provides that if the electronic pollbook contains the voter’s photograph and identifying information, the officer of election is required to access that photograph and identifying information and the voter is not required to present one of the statutorily required forms of identification however, the bill requires the officer of election to challenge the voter’s vote if the voter does not appear to be the same person depicted in the photograph or in the pollbook. The bill has a delayed effective date of July 1, 2017.

6. Budget Amendment Necessary: Yes – Item 86 (Electoral Services)

7. Fiscal Impact Estimates:

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2016	\$0	-
2017	\$0	-
2018	\$106,460	General
2019	\$106,460	General
2020	\$106,460	General
2021	\$106,460	General
2022	\$106,460	General

8. Fiscal Implications: In order to implement the requirements of this legislation, the Department of Elections (ELECT) would have to make several changes to the Virginia Election and Registration Information System (VERIS), the Commonwealth’s statewide voter registration system during fiscal year 2017. The changes to VERIS are needed to cover the processes needed to create and accept the Department of Motor Vehicles (DMV) data, associate it to voters, and then extract and distribute the photos to 133 localities prior to each

election. ELECT will also need to modify reports within VERIS to help the general registrars identify which voters have photos. The Department is in the process of assuming internal control of VERIS updates and due to the delayed effective date of this legislation, there is no additional cost for VERIS upgrades.

The Department would need to program and develop updated electronic pollbook software, which the agency indicates it will be able to do internally as well. ELECT would also be required to download updated pictures from DMV's servers at least twice a year (prior to the statewide elections), which is estimated to cost \$41,780 annually (\$20,890 for each download). In some years, the data may need to be downloaded three times a year. ELECT also expects to incur additional costs for storage of the photographic images on the state's computer systems, which has an estimated annual cost of \$64,680.

Finally, localities would have to replace existing electronic pollbooks that do not have the capacity to store and display photographs. The pollbooks would have to be replaced directly as a result of this legislation, rather than being replaced based on replacement/refreshment schedules. ELECT estimates that it would cost approximately \$465 for each replacement pollbook. The Department estimates the total amount of localities in use across the Commonwealth is 3,672; however, many localities have recently purchased or are in the process of purchasing new pollbooks. The total cost to all localities to replace these pollbooks is thus currently indeterminate.

The legislation requires ELECT to enter into an agreement with DMV's credentials vendor to obtain the photographs. The DMV will send the customer's hair color, eye color, and height in addition to the information DMV currently transmits to ELECT each month, as well as a separate file containing the images. DMV notes that the images will have to be accompanied by a customer number and Social Security Number so that the Department of Elections can match an image to a voter's record. The DMV estimates the information technology costs for changes to the DMV database to implement the provisions of this bill to be a one-time cost of \$20,475. The DMV expects to absorb the one-time implementation cost in fiscal year 2018.

9. Specific Agency or Political Subdivisions Affected: Department of Elections, Department of Motor Vehicles, general registrars, and localities

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: February 2, 2016
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