Department of Planning and Budget
2019 Fiscal Impact Statement

1. **Bill Number:** SB1063

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

2. **Patron:** Marsden

3. **Committee:** Privileges and Elections

4. **Title:** Voter registration; automatic voter registration.

5. **Summary:** Provides for the automatic electronic transmission by the Department of Motor Vehicles to the Department of Elections of certain information for any person coming into an office of the Department of Motor Vehicles or accessing its website in order to (i) apply for, replace, or renew a driver's license, (ii) apply for, replace, or renew a special identification card, or (iii) change an address on an existing driver's license or special identification card if the Department of Motor Vehicles records indicate that he (a) is a United States citizen, (b) is 17 years of age or older, and (c) at the time of the transaction does not decline to have his information transmitted to the Department of Elections for voter registration purposes. The option to decline to have his information so transmitted shall be presented at the time of one of the specified transactions with the Department of Motor Vehicles and shall be accompanied by a warning that intentionally making a materially false statement during the transaction is punishable under Virginia law as a felony. Upon receipt of the information collected to ensure that the person meets all voter registration eligibility requirements, the Department of Elections is required to determine whether the person is already registered to vote. If the person is already registered to vote, the Department of Elections is required to take certain steps to update the voter's registration records. If the person is not already registered to vote, the Department of Elections is required to verify that the person meets all voter eligibility requirements and, if so finding, is required to transmit the information to the appropriate general registrar. The bill repeals the requirement that the Department of Motor Vehicles offer, accept, receive, and send voter registration applications.

Budget Amendment Necessary: No.

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

8. **Fiscal Implications:** The fiscal impact of the proposed legislation is preliminary and an estimate is not yet available at the time of posting this fiscal impact statement. An estimate of the fiscal impact is forthcoming and this statement will be updated, once available.

   This fiscal impact statement assumes that the proposed legislation requires the Department of Elections (ELECT) to take over certain functions that are currently performed by local general registrars for voter registration applications transmitted from the Department of Motor Vehicles (DMV). Upon the receipt of the information collected by the DMV, ELECT

would determine whether the applicant is already registered to vote, verify that persons not already registered meet all voter registration eligibility requirements, and take certain steps to update the voter registration records of those already registered. Upon verifying that those not yet registered meet all eligibility requirements, the information would be submitted by ELECT to the appropriate general registrar. Such functions are currently performed by 133 local general registers. According to ELECT, this would transfer an estimated 50 percent or more of current general registrar responsibilities to ELECT. The agency is still working to determine the estimated impact of assuming such responsibilities.

According to the Department of Motor Vehicles, as stand-alone legislation, DMV would be able to implement the proposed legislation within existing resources and implementation could be accomplished during the normal work schedules of existing employees given current workloads. However, it is possible that the cumulative burden of programming and staffing requirements for DMV to implement multiple pieces of legislation could require additional resources.

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

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** This bill is a companion to HB 2390.

    Previous fiscal impact statements for similar legislation did not include the impact of ELECT assuming responsibility for the described voter registration functions currently conducted by local general registrars.

Date: 1/15/2019