Department of Planning and Budget
2020 Fiscal Impact Statement

1. **Bill Number:** SB219-S2

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 person indicates that he is a United States citizen and is 17 years of age or older and, 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 not already registered to vote, the Department of Elections is required to transmit the information to the appropriate general registrar. If the person already has a registration record in the voter registration system and the information collected indicates that the voter has moved within the Commonwealth, the Department of Elections shall transmit the information and the registration record to the appropriate general registrar, who shall treat and process such transmittal as a request for transfer. The bill repeals § 24.2-411.1, which contains the current requirements for the Department of Motor Vehicles to offer, accept, receive, and send voter registration applications.

   SB219-S2 contains an enactment clause providing that its provisions shall not become effective unless appropriation effectuating its purposes is included in the enacted 2020 Appropriation Act.

6. **Budget Amendment Necessary**: No.

7. **Fiscal Impact Estimates:** See Item 8.

8. **Fiscal Implications:**

Department of Elections

The proposed legislation is not expected to have a fiscal impact on the Department of Elections, as the agency does not anticipate substantive changes from its current process of handling electronic voter registration information received from the Department of Motor Vehicles.

Department of Motor Vehicles (DMV)

The bill would require DMV to ask customers applying for, replacing, renewing, or changing an address on a driver's license or special identification card if they would like to opt-out of having their information sent to the Department of Elections for voter registration purposes, whereas its current process asks customers whether they would like to opt-in and have their information sent to the Department of Elections. According to the Department of Motor Vehicles (DMV), making the appropriate programming changes to DMV's information systems is estimated to cost $38,122 and take 640 staff hours to complete. The staff hours required to implement the bill are expected to be accomplished during the normal work schedules for DMV employees, given current workloads. DMV would be able to absorb this cost within its existing resources assuming other legislative proposals with fiscal impacts to DMV are not passed. DMV's current fiscal outlook precludes funding the cumulative burden of implementing the programming and staffing requirements of multiple pieces of legislation without improved revenue streams.

The current electronic motor voter application process was implemented July 1, 2016, and replaced the previous manual paper application process. The current process offers customers the opportunity to electronically complete a voter application on DMV's credit card machines, instead of requiring customers to fill in a voter application by hand. DMV's electronic voter application transmits all of the same information a customer would previously provide through a paper application, such as name, date of birth, and residence. The customer's information is sent electronically to the Department of Elections at the end of the transaction. The customers receive an acknowledgment form notifying them that they are not registered until they receive confirmation from their general registrar and instructing them to follow up with the Department of Elections if they do not receive a voter registration card. This process provides the general registrars with the ability to receive the pending voter registration electronically and process the voter registration immediately after their review without waiting for paper applications to arrive in the mail.

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

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

11. **Other Comments:** This bill is a companion to HB235.

Date: 2/10/2020