Department of Planning and Budget
2021 Fiscal Impact Statement

1. **Bill Number:** HB1888

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

2. **Patron:** VanValkenburg

3. **Committee:** Privileges and Elections

4. **Title:** Absentee voting; procedural and process reforms; availability and accessibility reforms; penalty.

5. **Summary:** Makes various reforms to absentee voting processes and procedures, including those related to availability and accessibility. The bill requires certain actions to be taken to process absentee ballots returned before the day of an election, including verifying the correct completion of the voter affirmation statement, and provides for an opportunity for an absentee voter to make corrections to the statement in certain circumstances. The bill requires the establishment of drop-off locations for the return of voted absentee ballots. Additionally, a central absentee voter precinct is required to be established in each locality; currently, establishment is optional. On the day of the election, officers of election are required to begin processing absentee ballots in the central absentee voter precincts prior to the close of polls, but no ballot vote counts are permitted to be transmitted outside of the central absentee voter precinct before the close of polls; a violation of such prohibition is a Class 1 misdemeanor. When reporting election results to the Department of Elections, the general registrars are required to report absentee ballots cast early in person separately from all other absentee ballots. Additionally, a voter who has applied for and received an absentee ballot may choose to instead vote at his polling place on election day, and such voter shall be entitled to cast a provisional ballot. The bill requires a ballot marking tool with screen reader assistive technology to be made available for absentee voters with a print disability. Restrictions on the availability of absentee voting for first-time voters who registered by mail are repealed. The bill contains technical amendments for organizational and readability purposes.

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

7. **Fiscal Impact Estimates:** No state fiscal impact.

8. **Fiscal Implications:** The Department of Elections indicates that the proposed legislation is not expected to have a state fiscal impact.

   Localities would be responsible for the cost of prepaid postage for the return of absentee ballots by mail, however, any such local impact is currently indeterminate.

The bill modifies current law associated with actions that are punishable with Class 1 misdemeanors. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than $2,500, either or both.

There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays the localities $4.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large portion of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2020), the estimated total state support for local jails averaged $34.59 per inmate, per day in FY 2019.

9. **Specific Agency or Political Subdivisions Affected:** Department of Elections, State Board of Elections, General Registrars, and localities.

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

11. **Other Comments:** None.

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