

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: SB370

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

2. Patron: Bell

3. Committee: Privileges and Elections

4. Title: Elections; conduct of election; election results; risk-limiting audits.

5. Summary: Requires local electoral boards and general registrars to perform certain risk-limiting audits, defined in the bill, under the supervision of the Department of Elections and in accordance with the procedures prescribed by the State Board of Elections. The bill provides that localities are required to participate in such audits at least once every five years. The bill also provides that the Department shall submit a report on the results of such audits to the State Board. The provisions of the bill requiring that such audits be conducted (i) for at least one randomly selected contested race for the General Assembly in the year of a general election for members of the General Assembly and (ii) for any other contested race that is necessary to ensure that each locality participates in a risk-limiting audit of an office within its jurisdiction at least once every five years or that the State Board finds appropriate has a delayed effective date of July 1, 2023. The provision of the bill requiring that such audits be conducted for at least one randomly selected contested race for a local office that requires certification by the State Board in any year in which there is not a general election for statewide office has a delayed effective date of July 1, 2024. The bill provides that the risk limit shall be at least 10 percent. The Department of Elections shall convene a work group to consider and propose a process and timeline for implementing risk-limiting audits of statewide contests and complete its work no later than October 31, 2022.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: See Item 8.

8. Fiscal Implications: As stand-alone legislation, the Department of Elections considers implementation of this bill as “routine,” and does not require additional funding.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections, State Board of Elections, and localities (General Registrars and Electoral Boards).

10. Technical Amendment Necessary: No.

11. Other Comments: The introduced version of this bill is identical to HB 895 as introduced.

Date: 2/7/2022