

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB1910

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Batten

3. Committee: Privileges and Elections

4. Title: Absentee voting; unsolicited absentee ballot applications; required information; penalty.

5. Summary: Requires any individual or organization sending an application for an absentee ballot to a registered voter that was not solicited or requested by the registered voter to include with the application instructions on completing the application and submitting it to the appropriate general registrar. The bill requires a statement that the application is not being sent by any state or local government official or agency to be printed on the envelope containing the application or on the first page of any enclosed materials. The bill specifies that individuals and organizations are required to use the information provided in the list of registered voters acquired by such individual or organization from the Department of Elections pursuant to relevant law and that a violation of this requirement is a Class 4 misdemeanor. The bill also requires the Department of Elections to ensure, when providing such list to such individual or organization for purposes of sending unsolicited applications, that no voter is included on such list if such voter has applied for an absentee ballot on or before the date such list is requested. Finally, the bill provides that no application for an absentee ballot sent to a registered voter that was not solicited or requested by the registered voter may be pre-populated with information that the applicant is required to provide.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary, see item 8.

8. Fiscal Implications: The proposed legislation is not expected to have a fiscal impact on the Department of Elections, though additional costs may be incurred to the State Voter Registration System (SVRS) due to potential updates to make sure voters who have already requested an absentee ballot are not included on the list provided to individuals or organizations. The cost of these changes is indeterminate.

A Class 4 misdemeanor is punishable by a fine of up to \$250. All revenue collected from such fines is deposited into the Literary Fund. However, it is not possible to estimate either the number of convictions that may result or the amount of each fine that may be assessed under this legislation. Therefore, the impact of this bill cannot be determined.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.

January 19, 2023