

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB796

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

2. Patron: Hope

3. Committee: Committee Referral Pending

4. Title: Elections; absentee voting; electronic ballot return.

5. Summary: Requires that the Department of Elections establish an electronic transmission system through which a military or overseas voter or voter with a disability may request, receive, and return a ballot. The bill also requires a general registrar to offer an applicant for an absentee ballot who indicates that he will require assistance to vote the option to have a blank absentee ballot, the form for the envelope for returning the marked ballot, and instructions sent to him by electronic transmission. A voter with a disability who receives a ballot by electronic transmission may print and return the ballot or may return the ballot by electronic transmission if the voter affirms that he is an individual who, regardless of any other disability, (i) is blind; (ii) has a visual impairment or perceptual or reading disability that cannot be improved to give visual function substantially equivalent to that of a person who has no such impairment or disability and so is unable to read or mark a ballot to substantially the same degree as a person without an impairment or disability; or (iii) is otherwise unable, through physical disability, to hold, mark, or manipulate a ballot or to focus or move the eyes to the extent that would be normally required for reading or marking a ballot. Additionally, the bill requires a general registrar to send any voter who indicates that he will require assistance due to a disability a voter assistance form. Under current law, voters who opt to receive a ballot marking tool are not sent a voter assistance form. The bill also allows a military or overseas voter who requested and received ballot materials by electronic transmission to return the ballot by electronic transmission in circumstances where another more secure method, such as returning the ballot by mail, is not available or feasible.

6. Budget Amendment Necessary: Yes; Item 77.

7. Fiscal Impact Estimates: Preliminary; see below.

8. Fiscal Implications: The proposed legislation would establish an electronic transmission system through which a covered voter, as defined in §24.2-452, or a voter with a disability, may request, receive, and return the ballot of a participating county or city.

Based on an estimate provided to ELECT from a vendor that provides the type of software that would fulfill the goal of this legislation, first-year implementation and licensing costs are estimated to be between \$945,000 and \$1,365,000. Subsequent annual licensing costs are estimated to be between \$800,000 and \$1,050,000.

These costs have two components: one-time implementation and annual licensing costs. The one-time implementation cost is estimated to be between \$175,000 and \$350,000.

Implementation costs would depend on the time needed to implement the software, custom requirements, integration with external systems, user acceptance procedures, and training requirements. The annual licensing fee is estimated to be between \$800,000 and \$1,050,000. Licensing costs would depend on security requirements, hosting requirements, local involvement, and other support requirements.

- 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:** None.

January 22, 2024