

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB904

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Price

3. Committee: Privileges and Elections

4. Title: Voter registration; list maintenance activities; cancellation procedures; required record matches.

5. Summary: Requires certain, specified identification information to be included on the lists received by the Department of Elections for list maintenance purposes and requires the Department, upon receiving any such list, to do an initial comparison of the information included on such list with the list of registered voters to identify record matches. Depending on which identification information matches, the Department either transmits the information to the appropriate general registrar to initiate the cancellation process or notifies the appropriate general registrar who may then initiate the confirmation notification process. The bill prohibits the use of voter data received from another state or jurisdiction or through a list comparison for list maintenance purposes when the data file does not include a unique identifier for each individual whose information is contained in the data file. The bill requires the Department of Elections to annually audit all sources of data utilized for list maintenance activities for the purpose of determining the validity, completeness, accuracy, and reliability of the data received from each source, and to include the results of such audit in its annual report to the Committees on Privileges and Elections regarding its list maintenance activities. The bill requires the general registrars to send notice prior to cancelling a voter's record regardless of the reason for cancellation. Lastly, the bill clarifies that when a voter's registration is cancelled, a cancellation record must be created, and that such records are public in accordance with the Virginia Freedom of Information Act and the National Voter Registration Act. The bill includes numerous technical amendments for organizational purposes.

6. Budget Amendment Necessary: See below.

7. Fiscal Impact Estimates: Preliminary; see below.

8. Fiscal Implications: The fiscal impact of the proposed legislation is currently indeterminate. The bill would require ELECT to conduct an annual audit on the sources of data used for list maintenance. For ELECT to determine the validity, completeness, accuracy, and reliability of data received, the department would need additional positions.

Additionally, this bill would also require ELECT to only use data for maintenance purposes that links a unique identifier to each voter. ELECT would need to develop a method for states

to provide a unique identifier that can be “reliably linked to a single voter,” such as an individual’s full social security number. It is currently unknown if full social security data may be obtained for the purpose of validating voter registration information. It is anticipated that fees would likely be assessed to access the data, though any such costs are currently unknown. Most states generate and assign a unique number for each voter. These unique identifiers can change each time the person moves and registers in a new state. Further details regarding the requirements related of this bill would be needed to estimate the fiscal impact of this bill.

Further details regarding the requirements related to the security and technology of this bill would be needed to estimate the fiscal impact of this bill. ELECT's current resources are focused on the completion of the new Statewide Voter Registration System (SVRS) scheduled to come on-line in calendar year 2025. Any changes, updates, or standalone IT projects would require additional resources.

This bill would also require the Central Criminal Records Exchange (CCRE) to provide to the Department of Elections a monthly list of persons convicted of felony offenses during the preceding month and an annual list of all persons convicted of a felony regardless of conviction date. The bill also adds additional fields to be included in the list such as Department of Motor Vehicles (DMV) customer number, offense for which the person was convicted, and the date of conviction. It is estimated that \$234,360 would be needed to make modifications to the Computerized Criminal History (CCH) system to capture and apply the DMV customer number to the criminal history record, generate a monthly file, and adjustments to the data fields included in the batch file that are required.

Any potential impact to Circuit Courts and the Department of Motor Vehicles is currently unknown.

- 9. Specific Agency or Political Subdivisions Affected:** Virginia Department of Elections, State Board of Elections, and localities (General Registrars and Electoral Boards), State Police, Circuit Courts, and the Department of Motor Vehicles.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

January 30, 2024