

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: SB196

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

2. Patron: VanValkenburg

3. Committee: Passed Both Houses

4. Title: Voter registration; list maintenance data standards; challenges to a voter's registration.

5. Summary: 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 review 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 review in its annual report to the Committees on Privileges and Elections regarding its list maintenance activities. The bill includes technical amendments.

6. Budget Amendment Necessary: Yes, Item 77.

7. Fiscal Impact Estimates: See below.

8. Fiscal Implications: The fiscal impact of the proposed legislation is currently indeterminate. The bill would require ELECT to conduct an annual review 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 to this bill would be needed to estimate the fiscal impact of this bill.

The fiscal impact to Circuit Courts is currently indeterminate.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.

February 28, 2024