

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1161-01
Bill No.: HB 710
Subject: Elections; Disabilities; Secretary of State
Type: Original
Date: April 22, 2013

Bill Summary: This proposal requires each polling place for a federal, state, local, or school district election to have at least one accessible voting system that conforms to federal regulations for disabled voters.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|----------------------------------|----------------------------------|----------------------------------|
| FUND AFFECTED | FY 2014 | FY 2015 | FY 2016 |
| General Revenue | (More than \$100,000) | (More than \$100,000) | (More than \$100,000) |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | (More than \$100,000) | (More than \$100,000) | (More than \$100,000) |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2014 | FY 2015 | FY 2016 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2014 | FY 2015 | FY 2016 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2014 | FY 2015 | FY 2016 |
| | | | |
| | | | |
| Total Estimated Net Effect on FTE | 0 | 0 | 0 |

- Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).
- Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2014 | FY 2015 | FY 2016 |
| Local Government* | \$0 | \$0 | \$0 |

*Revenue and expenses net to zero.

FISCAL ANALYSIS

ASSUMPTION

Officials at the **Office of the Secretary of State** assume this proposal would mandate election authorities to make available for all federal, state, county, municipal, or school district election held after August 28, 2013, at each polling place, one accessible voting system that conforms to 42 U.S.C. Section 15481 (a)(3)(B), as amended. Election authorities will be required to program their voting systems to accommodate disabled voters. This new state mandate must be funded as additional responsibilities under Article X, section 21 of the Missouri Constitution.

Assumptions = Each county would be required to program their current voting systems at an average cost of \$5,000 per election. ($\$5,000 \times 116 = \$580,000$)

When receiving similar legislation in the past, SOS has indicated that this proposal would not have a fiscal impact. **Oversight** questioned the SOS about this policy shift. The SOS stated that while the bill requires local election authorities to make available one accessible voting system that conforms to 42 U.S.C. Section 15481 (a)(3)(B) the costs the local election authorities incur in implementing these requirements must be reimbursed by the State. Given how local election authorities are generally reimbursed for election expenses through our office, the SOS needed to account for those costs. The SOS states they needed to be as diligent and accurate as possible, given this likely funding mechanism.

The Help America Vote Act requires the use of accessible voting machines at each polling place. **Oversight** assumes the State currently uses these machines and pays the programming costs for the machines at all federal and state elections. This proposal would expand the machines use to municipal elections. SOS assumed programming for one municipal election (April) per election authority, per year that would need to be reimbursed by the State. Oversight will show the reimbursement of the machine programming costs for the April election, as More than \$100,000.

Officials at the **Kansas City Board of Election Commission** assume there is no fiscal impact from this proposal.

Officials at the **Platte County Board of Election Commission** assume an additional \$5,000 per election to have accessible voting equipment available at all elections, including local elections. This covers the additional personnel to operate the equipment on election day, additional costs for programming audio ballots, as well as the delivery costs for the additional equipment to each poll site.

ASSUMPTION (continued)

Officials at the **Buchanan County** assume an unknown impact.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Officials at the following board of election commissions: St. Louis City Board of Election Commission, Clay County Board of Election Commission, Jackson County Board of Election Commission and the St. Louis County Board of Election Commission did not respond to **Oversight's** request for fiscal impact.

Officials at the following counties: Andrew, Audrain, Barry, Bates, Boone, Callaway, Camden, Cape Girardeau, Carroll, Cass, Clay, Cole, Cooper, DeKalb, Franklin, Greene, Holt, Jackson, Jefferson, Johnson, Knox, Laclede, Lawrence, Lincoln, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Perry, Pettis, Phelps, Platte, Pulaski, Scott, St. Charles, St. Louis, St. Francois, Taney, Warren, Wayne and Worth did not respond to **Oversight's** request for fiscal impact.

| <u>FISCAL IMPACT - State Government</u> | FY 2014 (10 Mo.) | FY 2015 | FY 2016 |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| GENERAL REVENUE | | | |
| <u>Transfer Out</u> - Secretary of State to local political subdivisions for reimbursement of accessible machines at polling places | <u>(More than \$100,000)</u> | <u>(More than \$100,000)</u> | <u>(More than \$100,000)</u> |
| ESTIMATED NET EFFECT ON GENERAL REVENUE | <u>(More than \$100,000)</u> | <u>(More than \$100,000)</u> | <u>(More than \$100,000)</u> |
| | | | |
| <u>FISCAL IMPACT - Local Government</u> | FY 2014 (10 Mo.) | FY 2015 | FY 2016 |
| LOCAL ELECTION AUTHORITY FUNDS | | | |
| <u>Transfer In</u> - from Secretary of State for reimbursement of accessible machines at polling places | More than \$100,000 | More than \$100,000 | More than \$100,000 |
| <u>Cost</u> - Local Election Authority - accessible machines at polling places | <u>(More than \$100,000)</u> | <u>(More than \$100,000)</u> | <u>(More than \$100,000)</u> |
| ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITY FUNDS | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill requires each polling place for a federal, state, local, or school district election held after August 28, 2013, to have at least one accessible voting system that conforms to federal regulations for disabled voters. The voting system must have been qualified by the Secretary of State for use by local election authorities.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Buchanan County
Kansas City Board of Election Commission
Office of the Secretary of State
Platte County Board of Election Commission



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Acting Director
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