

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 28, 2007

TO: Honorable Leo Berman, Chair, House Committee on Elections

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB101 by Riddle (Relating to the procedures for registering to vote and accepting a voter at a polling place.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB101, As Introduced: an impact of \$0 through the biennium ending August 31, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	\$0
2009	\$0
2010	\$0
2011	\$0
2012	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from <i>TEXAS MOBILITY FUND</i> 365
2008	(\$177,060)
2009	(\$177,060)
2010	(\$177,060)
2011	(\$177,060)
2012	(\$177,060)

Fiscal Analysis

The bill would amend Chapter 13 of the Election Code to add to existing registration application requirements proof of an applicant's U.S. citizenship by submitting a copy of a birth certificate, U.S. citizenship papers, or an unexpired U.S. passport.

The bill would amend Chapter 63 of the Election Code to require a voter to present qualifying identification, as described in the bill, in addition to a voter's registration certificate.

Qualifying identification would be one form of photo identification or two forms of proof of identification. Among the items that would constitute acceptable photo identification would be: a driver's license or personal identification card issued by the Texas Department of Public Safety (DPS) that had not expired, or expired no earlier than two years before the date presented.

The bill would amend Chapter 65 of the Elections Code to add a space on a provisional ballot for an election officer to indicate whether a person presented the required proof of identification. The Texas Secretary of State would prescribe procedures, as necessary, to implement this section on provisional ballots.

The bill would amend Chapter 521 of the Transportation Code to prohibit DPS from collecting a fee for a personal identification certificate issued to a person who executed an affidavit stating that the person was financially unable to pay the required fee, and the person was a registered voter in the state or would be eligible for registration and would submit a registration application to DPS.

The changes in law made by this bill relating to additional requirements for a registration application would apply only to an application for voter registration submitted on or after the effective date of the bill. This bill would take effect September 1, 2007.

Methodology

The revenue loss is calculated by applying the percentage of the population below poverty level (16.2%) to the estimated number of persons that would register to vote (72,864), the estimated number of persons eligible to execute the affidavit that they are financially unable to pay the fee for an identification card would be 11,804 ($72,864 \times 16.2\% = 11,804$). If the fee were waived for these persons, the estimated revenue loss for the Texas Mobility Fund would be \$177,060 for each fiscal year ($11,804 \times \$15 = \$177,060$).

It is anticipated that other provisions of the bill could be implemented with existing resources.

Technology

No significant implications to technology is anticipated.

Local Government Impact

Elections administration offices may incur costs for: storage costs for required copies of proof of citizenship; additional personnel to check identification on election day; training of personnel on what are acceptable forms of identification on election day; and personnel and other costs to have the office of the voter registrar open on the Saturday that falls within the five-day period after an election to allow provisional voters to submit required identification.

It is assumed that a commissioners court of a county would authorize the county elections administrator or the county clerk to issue photo identification cards only if funding is available.

Source Agencies: 304 Comptroller of Public Accounts, 307 Secretary of State, 405 Department of Public Safety

LBB Staff: JOB, MN, MS, KJG, LG