

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 1, 2007**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

**IN RE: HB218** by Brown, Betty (Relating to requiring a voter to present proof of identification.),  
**Committee Report 2nd House, Substituted**

<b>Estimated Two-year Net Impact to General Revenue Related Funds</b> for HB218, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2009.
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**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 Gain/(Loss) from <i>TEXAS MOBILITY FUND</i> 365
2008	(\$671,110)
2009	(\$671,110)
2010	(\$671,110)
2011	(\$671,110)
2012	(\$671,110)

**Fiscal Analysis**

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. The presiding election judge would be required to prominently post notices of the list of acceptable forms of identification outside each polling location. The voter registrar of each county would be required to provide notice of the changes in identification requirements with each voter registration certificate or renewal registration certificate issued. In addition, the Secretary of State and each voter registrar in a county that maintains a website would be required to post notice on the website of the changes in identification requirements. The Secretary of State would be required to prescribe the wording of the notice.

As soon as practicable after the effective date of the bill, the Secretary of State would be required to adopt training standards and develop training materials related to the changes in the acceptance and

handling of identification presented by a voter; and each county clerk would be required to provide a training session using those standards and materials.

The bill would amend Chapter 521 of the Transportation Code to prohibit the Texas Department of Public Safety (DPS) from collecting a fee for a personal identification certificate issued to a person who states that the person is obtaining the certificate for the sole purpose of satisfying the identification requirement that would be imposed by the bill, and the person is a registered voter in the state or is eligible for registration and submits a registration application to DPS.

The SECTIONS of the bill relating to training and providing/posting notice of the changes in identification would take effect September 1, 2007; the remaining SECTIONS would take effect January 1, 2008.

Analysis by the Secretary of State indicates costs associated with changing and printing forms and creating new training materials and requirements could be absorbed using existing resources.

This analysis estimates that the provision of the bill that would exempt certain applicants from payment for an identification card would result in an annual revenue loss of \$671,110 each fiscal year out of the Texas Mobility Fund.

### **Methodology**

Out of the nearly 4.1 million identification card holders in the Texas driver license file, there are 536,888 identification card holders who have indicated they are a registered voter. DPS does not know how many of those card holders would choose to use their identification card solely as voter identification; therefore, DPS assumed 100 percent of those 536,888 card holders would use the card for voting purposes only. The fee that would be waived ranges from \$5 to \$20, depending on certain criteria. DPS assumed the \$15 fee would apply to 100 percent of the persons seeking an identification card for voting purposes. This analysis assumes 50 percent of the identification card holders would seek their card solely as voter identification.

If the fee were to be waived for 50 percent all 536,888 persons applying for a renewal of their identification card totaling 268,444 persons, the estimated revenue loss for the Texas Mobility Fund over a six-year renewal period would be more than \$4.0 million ( $268,444 \times \$15 = \$4,026,660$ ), which calculates to an annual revenue loss of approximately \$0.7 million ( $\$4,026,660 / 6 = \$671,110$ ).

The revenue loss could be lower if fewer people than the 50 percent assumption who currently indicate they are a registered voter on their identification card state that the card would be used solely as voter identification, or it could be higher if all other identification card holders were to state when renewing that the card would be used solely for voter identification.

### **Technology**

DPS would incur technology costs for reprogramming the Driver License System, but it is assumed those costs could be absorbed within existing resources.

### **Local Government Impact**

The costs to counties would vary depending on the number of polling places for which signs must be posted, the number of election workers to be trained, and the number of registered voters to be notified of identification changes. However, no significant fiscal implication to units of local government is anticipated.

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

**LBB Staff:** JOB, KJG, GG, DB, LG