

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 25, 2007

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

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

IN RE: HB556 by Hilderbran (Relating to voting station requirements for elections held by the Hickory Underground Water Conservation District No. 1.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB556, As Passed 2nd House: a negative impact of (\$10,000,000) through the biennium ending August 31, 2009.
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Appropriations:

Fiscal Year	Appropriation out of <i>GENERAL REVENUE FUND</i> 1
2007	\$10,000,000
2008	\$0

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$10,000,000)
2009	\$0
2010	\$0
2011	\$0
2012	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1
2008	(\$10,000,000)
2009	\$0
2010	\$0
2011	\$0
2012	\$0

Fiscal Analysis

The bill would amend Section 31.009, Election Code, to authorize the Secretary of State to reimburse political subdivisions for expenses incurred in conducting a special election that is held statewide.

The bill would amend Sections 61.012 and 61.013 of the Election Code to remove the January 1, 2006 deadline reference for polling places to provide at least one voting station to accommodate persons with disabilities. The bill would add to the accommodations for which at least one station must comply,

accessibility under 42 U.S.C. Section 15481(a)(3) and its subsequent amendments.

Section 61.013 would be added to the Election Code to provide that for an election other than an election of a political subdivision that is held jointly with another election in which a federal office appears on the ballot, certain political subdivisions would not be required to provide at least one voting station that complies with various listed federal laws regarding accommodations for persons with disabilities. The exception would be applied based on population criteria or on proof the accommodation would create an undue burden. The political subdivision would be required to file an application with the Secretary of State not later than 90 days before the election to seek the exception. The Secretary of State would be required to make a determination within 20 days after receipt of the application.

For the purposes of Section 61.013, a political subdivision that is located in more than one county would be allowed to choose to be considered located in the county that contains the greatest number of registered voters of the political subdivision or for each portion of the political subdivision located in a different county, to be considered a separate political subdivision.

The Secretary of State would be required to prescribe procedures and adopt rules as necessary to implement Section 61.013.

The bill would repeal the stipulation that the only polling places required to accommodate voters with disabilities would be those that use an electronic voting system.

The bill would allow the Hickory Underground Water Conservation District No. 1, under certain circumstances, to use a voting station that does not meet the requirements for accessibility under 42 U.S.C. Section 15481(a)(3). The board of directors would be required in that circumstance to notify the Secretary of State if the district does not provide at least one voting station at each polling place used in the election that meets the 42 U.S.C. Section 15481(a)(3) requirements.

The bill would take effect September 1, 2007.

Methodology

The Secretary of State estimates that the May 12, 2007 special election will cost local governments \$10,000,000 to conduct.

Local Government Impact

Local units of government would be reimbursed for special election expenses in the amount shown in the above tables.

Source Agencies:

LBB Staff: JOB, DB, MS, SD, CT