

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 4, 2011

TO: Honorable Larry Taylor, Chair, House Committee on Elections

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

IN RE: HB1975 by King, Phil (Relating to the submission of election changes under Section 5 of the Voting Rights Act of 1965.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1975, As Introduced: a negative impact of (\$612,217) through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	(\$475,727)
2013	(\$136,490)
2014	\$0
2015	\$0
2016	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1
2012	(\$475,727)
2013	(\$136,490)
2014	\$0
2015	\$0
2016	\$0

Fiscal Analysis

The bill would require the Secretary of State (SOS), the Office of Attorney General (OAG), or other state officer to submit changes in the election process or procedure enacted by the Eighty-second Legislature, Regular Session, 2011 that is required to be submitted to the United States District Court for the District of Columbia to determine whether the change has the purpose or effect of denying or abridging the right to vote on account of race or color or in contravention of the guarantees set forth in 42 U.S.C. Section 1973b(f)(2). This section would expire September 1, 2013. This bill would take effect if it receives a vote of two-thirds or on September 1, 2011.

Methodology

There is an average of 150 election-related enactments each session. It is assumed that the Secretary of State (SOS) and the Office of Attorney General (OAG) would need to work together to file litigation to seek preclearance from the United States District Court for the District of Columbia for each change in the election process or procedure enacted by the Eighty-second Legislature, Regular Session, 2011.

It is assumed that SOS would need funding for two legal assistants and OAG would need funding for four attorneys in fiscal year 2012 to file litigation on approximately 150 election-related enactments. It is also assumed that SOS would need funding for one legal assistant and OAG would need funding for one attorney in fiscal year 2013 to respond to litigation that is contested.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 307 Secretary of State

LBB Staff: JOB, JT, MS, BTA