

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 17, 2011

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

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

IN RE: HB2173 by Torres (Relating to a pilot program allowing certain military overseas voters to receive and cast a ballot electronically.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2173, As Engrossed: a negative impact of (\$212,000) 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	(\$212,000)
2013	\$0
2014	\$0
2015	\$0
2016	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1
2012	(\$212,000)
2013	\$0
2014	\$0
2015	\$0
2016	\$0

Fiscal Analysis

The bill would require the Secretary of State (SOS), by July 1, 2012, to prescribe procedures for implementing a pilot program to allow the electronic transmission of balloting materials and voted ballots for certain military overseas voters for the 2012 general election for the state and county officers. The bill would allow a county to participate in the pilot program if SOS approves a participation request from the county early voting clerk. SOS would be required to prescribe the form and manner for the clerk to send balloting materials to an e-mail address for certain voters and would require the clerk to maintain a record of each ballot received. The procedures prescribed by SOS would be required to provide for the verification of the voter and security of transmission. The balloting materials would be required to be returned to SOS for verification and redistribution. SOS would be allowed to adopt rules to implement the pilot program and would be required to file a report

on the pilot program to the Legislature no later than February 15, 2013. This section would expire on February 16, 2013. The bill would take effect September 1, 2011.

Methodology

The total fiscal impact of the bill is estimated to be \$212,000 out of the General Revenue Fund in fiscal year 2012 (see Technology section). It is anticipated that any costs associated with implementation of the legislation could be absorbed within existing resources.

Technology

SOS assumes that a new application and interface would be needed to verify and redistribute balloting materials at a cost of \$212,000 out of the General Revenue Fund in fiscal year 2012 for programming contractors to design, develop, and test the application and interface.

Local Government Impact

Since the early voting clerk of a county would choose whether or not to participate in the pilot program, it is assumed that a county would only participate if sufficient funds were available.

For counties choosing to participate, additional administrative duties would vary depending on the number of requests for balloting material under the provisions of the bill; however, it is anticipated that additional duties could be absorbed with existing resources.

Source Agencies: 307 Secretary of State

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