

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 3, 2011

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

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

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

No significant fiscal implication to the State is anticipated.

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 and 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. 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. It is anticipated that any costs associated with implementation of the legislation could be absorbed within existing resources. The bill would take effect September 1, 2011.

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

LBB Staff: JOB, JT, BTA, KKR