

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 20, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB910 by Duncan (Relating to certain election practices and procedures.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for SB910, As Passed 2nd House: a negative impact of (\$479,000) through the biennium ending August 31, 2015.

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
2014	(\$395,000)
2015	(\$84,000)
2016	(\$84,000)
2017	(\$84,000)
2018	(\$84,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	1
2014	(\$395,000)
2015	(\$84,000)
2016	(\$84,000)
2017	(\$84,000)
2018	(\$84,000)

Fiscal Analysis

This bill would amend the Election Code and the Government Code relating to certain election practices and procedures. The bill would amend the Election Code to allow for the delivery, submission, or filing of a document or paper to be made by telephonic facsimile machine, and provides guidelines for submission by such method. The bill would require for information filed

with the Secretary of State by a local registrar of deaths to be filed electronically, which could be waived by the Secretary of State upon formal application. The bill would allow the Secretary of State to determine when certain submitted documents become public information.

The bill would allow the Secretary of State to prescribe the form and content of a ballot for an election using a voting system to conform to the formatting requirements of the system. The bill would remove the requirement that votes received in person by an early voting clerk, from an individual who is unable to enter a voting location, be received in the form of a sealed envelope. The bill would revise the date of when a copy of an application for a ballot to be voted by mail becomes available for public inspection.

The bill would allow the Secretary of State to prescribe different forms of application for a place on a ballot for an office of the federal government, state government, or a political party. The bill would amend: filing and withdrawal deadlines for an application for a place on certain ballots; the date a political party may submit a nominee for certain elections; and the election dates of certain elections; and the manner in which an application must be submitted to an early voting clerk. The bill would revise which costs of a recount are assessable against a person, and repeal Section 86.001(f) of the Election Code, related to reviewing applications and providing ballots.

The bill would amend the Election Code to require the Secretary of State to provide training materials and any applicable examination for potential volunteer deputy registrars to be accessed through an online training program. The bill would require the online program to produce a certificate of completion for an applicant to download, print, and present to a registrar. The bill would create a criminal offense for knowingly making a false statement on an affidavit completed as part of the certificate of completion. The bill would require certain actions to be taken by a registrar upon receiving the certificate of completion. The bill would also allow a volunteer deputy registrar to use a certificate of appointment as proof of training.

The bill would amend the Government Code to require for information filed with the Secretary of State, related to individuals' ability to serve on a jury, to be filed electronically, which could be waived by the Secretary of State upon formal application.

The Secretary of State indicates the provisions of the bill could be implemented within existing resources; however, the Legislative Budget Board (LBB) indicates that a cost of \$395,000 in fiscal year 2014 and \$84,000 each additional fiscal year out of General Revenue Funds would be required to implement the provisions of the bill.

This would take effect on September 1, 2013.

Methodology

The LBB estimates the cost of implementing and providing the program based on a similar program that was developed in 2006 for online poll worker training. Costs of \$395,000 in fiscal year 2014 are for design, development, licensing, hosting, and maintenance of the program. The annual cost each additional fiscal year is for licensing, hosting, and maintenance of the program.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, KJo, EP, CK