

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 27, 2021**

**TO:** Honorable Briscoe Cain, Chair, House Committee on Elections

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2859** by Bucy (relating to the secretary of state posting on the secretary of state 's Internet website databases containing certain information about elections.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2859, Committee Report 1st House, Substituted : a negative impact of (\$1,159,490) through the biennium ending August 31, 2023.

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:**

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	(\$710,859)
2023	(\$448,631)
2024	(\$448,916)
2025	(\$449,207)
2026	(\$449,504)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$710,859)	6.0
2023	(\$448,631)	6.0
2024	(\$448,916)	6.0
2025	(\$449,207)	6.0
2026	(\$449,504)	6.0

**Fiscal Analysis**

This bill would amend the Election Code to require the Secretary of State (SOS) to maintain a publicly accessible database containing certain specified election information. Local election authorities would be required to provide the required information to the SOS in an electronic format prescribed by the agency. The bill would also require the SOS to maintain a database containing certain specified information about each office holder of, and candidate for, any elected office in the State.

**Methodology**

The bill would require SOS to collect information from approximately 1,400 school districts, over 1,200 cities, and more than 5,000 water districts as well as an unknown number of library districts, hospital districts, special utility districts, and various other special purpose districts. The SOS does not currently have an inventory of these districts nor a way of monitoring them to maintain a list of current entities.

The SOS anticipates that it would require six additional FTEs in the Elections Division to assist local election officials with submitting the specified information, supplying technical assistance, and providing training about the new reporting process. These FTEs would be Program Specialist I positions at a cost of \$39,000 per FTE and a total of \$79,607 in associated benefits. The new positions would require \$27,252 in setup costs for fiscal year 2022 with ongoing operating expenses of \$15,024 per year beginning fiscal year 2023 and increasing at the rate of inflation thereafter.

### **Technology**

The SOS estimates that complying with the requirements of the bill would require 1,894 hours for configuration, implementation and testing of changes in Texas Elections Administration Management (TEAM) system. The agency assumes a contractor cost of \$132 per hour and estimates the total cost of these modifications would be \$250,000. The SOS also indicates there would be an increase in bandwidth and storage costs of \$10,000 per month for the new database and this would also represent an increase in operational costs for the TEAM system in subsequent years.

### **Local Government Impact**

According to the Texas Association of Counties, the bill would have no significant fiscal impact on counties.

**Source Agencies:** 307 Secretary of State

**LBB Staff:** JMc, SLE, GP, LCO