

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 27, 2023

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1933 by Bettencourt (Relating to certain oversight procedures of the state over county elections.),
Conference Committee Report

The fiscal implications of the bill cannot be determined because the application of this bill to certain specified counties cannot be determined.

The bill would amend the Election Code related to oversight of the state over county elections.

The bill would clarify that the current randomized election audits are only to be conducted for elections held on the unified election date. It would permit, but not require, the Secretary of State (SOS) to conduct a fifth audit under certain circumstances. It would provide statutory authorization for the processing of certain complaints regarding the administration of elections in certain counties.

In certain circumstances, the bill would grant the SOS administrative oversight of certain county offices administering elections or voter registration, would specify the powers granted to the agency for this oversight function, and would require certain reports.

According to the SOS, the modifications the bill would make to the agency's statutory requirement to conduct randomized audits would not have a material effect because many elections are conducted on the uniform election dates set out in the Election Code. As a result, according to the SOS, the provisions of the bill related to the conducting of audits would have no significant fiscal impact on the agency and would not generate any reductions in expenditures due to establishing a lower baseline of audit activity.

Whether certain specified counties would be subject to administrative oversight cannot be determined.

Local Government Impact

No significant fiscal implication to units of local government is anticipated based on the assessment by the SOS that the statutorily required audits would not be materially reduced in number by the bill. Costs to certain specified counties resulting from administrative oversight cannot be determined at this time.

Source Agencies: 307 Secretary of State

LBB Staff: JMc, CMA, MOc, GP, SMAT, LCO, NV