

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 6, 2023

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1933 by Bettencourt (relating to certain oversight procedures of the state over county elections.),
Committee Report 1st House, Substituted

The fiscal implications of the bill cannot be determined because the number of county offices administering elections or voter registrations that would be placed under administrative oversight or conservatorship cannot be estimated.

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 also permit, but not require, the Secretary of State (SOS) to conduct a fifth audit under certain circumstances.

In certain circumstances, depending on the results of these audits, the bill would grant the SOS administrative oversight of a county office administering elections or voter registration, would specify the powers granted to the agency for this oversight function, and would require certain reports.

Under certain circumstances, the SOS would be required to appoint a conservator in an audited county to oversee elections.

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.

Because the number of counties that would be subject to administrative oversight and conservatorship following randomized election audits cannot be estimated at this time, the cost to the SOS to administer these new functions 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 counties resulting from administrative oversight or conservatorship cannot be determined at this time.

Source Agencies: 307 Secretary of State

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