

## Help America Vote Act (HAVA)

### Background

- Congress created the 2002 Help America Vote Act (HAVA) in response to problems with the 2000 presidential election. HAVA's goals are to improve the administration of federal elections by creating a computerized statewide voter registration system; replacing punch-card ballots and lever voting machines; ensuring accessibility for disabled voters; and adopting new rules for provisional ballots.
- HAVA mandated a greater role for state government and the Secretary of State in an effort to more uniformly and effectively implement federal election laws [see Section 1-1.5-101 (1) (g), C.R.S.].

### HAVA Funds

- In 2003, the General Assembly created the Federal Elections Assistance Fund to receive federal and state monies appropriated for HAVA-related purposes (see Section 1-1.5-106, C.R.S.).
- To date, Colorado has received approximately \$43.3 million in federal funds, has earned an additional \$5 million in interest, and has provided a state match of \$1.9 million from the Department of State cash fund.
- Monies in the **Federal Elections Assistance Fund may only be used for HAVA-specified purposes** and are continuously appropriated to the Department for the administration, implementation, and enforcement of HAVA [see Section 1-1.5-106 (2), C.R.S.].
- HAVA funds will be exhausted by the end of FY 2010-11. When this occurs, **the Department will require an additional \$2.7 million annually to remain compliant with HAVA.**

Summary of HAVA Balance					
	Actual		Projected		
	FY 2004-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11
Prior FY Ending Balance		\$21,054,508	\$12,696,467	\$4,612,233	\$2,420,859
Annual Revenue	47,859,746	1,047,475	2,096,916	295,186	191,549
Total Annual Fund Balance	47,859,746	22,101,983	14,793,383	4,907,419	2,612,408
Annual Expenditures	26,805,238	9,405,516	10,181,150	2,486,560	2,612,252
<b>FY Ending Balance</b>	<b>\$21,054,508</b>	<b>\$12,696,467</b>	<b>\$4,612,233</b>	<b>\$2,420,859</b>	<b>\$156</b>

**Summary of HAVA Expenditures FY 2004 - FY 2011**

	Actual				Projected		
	FY 03-05 <sup>1</sup>	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Personal Services	\$890,145	\$650,122	\$502,152	\$841,065	\$790,881	\$838,334	\$888,634
Operating	455,794	144,358	366,243	212,796	64,524	65,564	66,300
Indirect Costs	0	736	162,304	128,735	114,448	143,797	155,678
Outreach & Education	433,616	151,933	138,208	10,651	96,000	13,000	13,000
Voting System Improvements	2,245,977	1,427,670	12,111,998	1,401,009	316,153	0	0
Voting System Certification	0	0	98,388	378,852	0	0	0
SCORE	1,174,057	613,895	5,400,682	6,478,642	8,628,779	1,255,500	1,318,275
<b>Total</b>	<b>\$5,199,589</b>	<b>\$2,988,714</b>	<b>\$18,779,975</b>	<b>\$9,451,750</b>	<b>\$10,010,785</b>	<b>\$2,316,195</b>	<b>\$2,441,887</b>

<sup>1</sup> - Please note: This column includes both FY 2003-04 and FY 2004-05.

**Election-related Spending**

- The Department's election-related spending varies depending upon whether it is an even- or odd-year election.
- Many of the election-related expenditures are not labeled as such in the Long Bill. They are contained in line items such as Personal Services and Operating Expenses. Only three line items - HAVA, Initiative and Referendum, and Local Election Reimbursement - pertain solely to elections.
- The Local Election Reimbursement line item reimburses counties for the cost of having statewide ballot initiatives on the ballot. Counties receive between \$0.70 and \$0.80 per registered voter, depending upon the number of registered voters at the time of the election.
- The Initiative and Referendum line item represents the Department's costs for processing initiatives that are submitted for signature verification and placement on the ballot.
- HAVA expenditures will decrease significantly starting in FY 2009-10. The Department estimates that it will require \$2.3 million in HAVA funds.
- The numbers below represent the costs that the Department incurs to administer elections, certify voting equipment, ensure HAVA compliance, implement the statewide voter registration database, and provide technical support to the counties. **Due to the cyclical nature of election costs, as well as fluctuations in HAVA spending, the numbers below do not represent the Department's complete or ongoing election-related spending.** They are a one-time snapshot of certain appropriations in the Department's section of the FY 2008-09 Long Bill.

**FY 2008-09 Appropriation**

Voting Equipment Certification	\$896,000 and 10.0 FTE
Initiative and Referendum	\$200,000
Local Election Reimbursement	\$2.2 million
<u>HAVA</u>	<u>\$6.9 million and 7.5 FTE</u>
<b>Total</b>	<b>\$10.2 million and 17.5 FTE*</b>