

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 10-0616
Prime Sponsor(s): Sen. Lundberg
 Rep. Murray

Date: February 8, 2010
Bill Status: Senate SVMA
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING THE CONDUCT OF VOTER REGISTRATION DRIVES, AND, IN CONNECTION THEREWITH, REQUIRING VOTER REGISTRATION DRIVE CIRCULATORS TO BE REGISTERED ELECTORS OF THE STATE AND TO SUBMIT AN AFFIDAVIT AND PHOTO IDENTIFICATION, REQUIRING VOTER REGISTRATION DRIVE ORGANIZERS TO SUBMIT A LIST OF CIRCULATORS TO THE SECRETARY OF STATE, REQUIRING THE SECRETARY OF STATE TO ASSIGN UNIQUE IDENTIFYING NUMBERS TO CIRCULATORS, AND REQUIRING VOTER REGISTRATION DRIVE AGENTS TO MAKE THEMSELVES AVAILABLE FOR LEGAL PROCEEDINGS.

| Fiscal Impact Summary | FY 2010-2011 | FY 2011-2012 |
|--|---------------------|---------------------|
| State Revenue | | |
| State Expenditures | | |
| Cash Funds | | |
| Department of State Cash Fund | \$12,288 | \$12,288 |
| FTE Position Change | | |
| Effective Date: August 11, 2010, assuming the General Assembly adjourns May 12, 2010, as scheduled and no referendum petition is filed. | | |
| Appropriation Summary for FY 2010-2011: See State Appropriations section. | | |
| Local Government Impact: See Local Government Impact section. | | |

Summary of Legislation

The bill requires voter registration drive organizers to submit a list of all circulators and a copy of each circulator's photo identification to the Secretary of State prior to beginning the voter registration drive, and to submit revisions to the list as needed. Each circulator must sign and submit an affidavit attesting that he or she:

- understands the laws governing voter registration drives;
- has never been convicted of any election-related offense;
- will ask each person registering to vote several questions to determine if the person meets state and federal voting requirements; and
- has submitted valid photo identification to the voter registration drive organizer.

The Secretary of State is required to assign each voter registration drive a unique three-digit number and each circulator a unique six-digit number, which must include the voter registration drive's number at the beginning. A circulator must include the combined six-digit identification number on all voter registration applications. The bill also requires circulators to make themselves available in any court proceeding or hearing concerning fraud or abuse during a voter registration drive.

State Expenditures

The bill increases costs in the Department of State by an average of \$12,288 per year. This cost is for temporary election staff to process circulator affidavits, review photo identification, and assign and track identification numbers for voter registration drive organizers and circulators. It is estimated that 300 voter registration drives with 6,000 circulators will be active in even-numbered years, and that there will be 75 voter registration drives with 2,000 circulators in odd-numbered years. This analysis assumes that it will take 12 minutes per circulator to complete the assigned tasks, resulting in 1,200 staff hours in even-numbered years, and 400 hours in odd-numbered years. At a cost of \$15.36 per hour, the department will require \$18,432 in FY 2010-11 and \$6,144 in FY 2011-12. Balancing out the annual variation, costs to the department are \$12,288 per year.

The bill could also increase case load for administrative law judges (ALJs), district attorneys (DAs), the Department of Law, and the courts to handle complaints relating to the conduct of voter registration drives. Voter registration complaints can be filed with the Secretary of State, who may refer complaints to an ALJ in the Department of Personnel and Administration or to a DA for further action. During the 2008 general election, 46 complaints were filed with the Secretary of State. A 25 percent increase in complaints would result in an additional 12 cases, some of which could be referred out by the Secretary of State. This analysis assumes that the Department of State can handle the increased complaints with existing staff, and that any increase in case load that results can also be absorbed by ALJs, DAs, and the courts.

Local Government Impact

The bill requires that county clerks keep voter registration records for two calendar years. Under current law, these records must be maintained until the next general election. This change could increase storage costs for counties. However, the bill also allows counties to destroy paper voter registrations after records are electronically recorded into the statewide voter registration database, where they are stored in perpetuity. This option could decrease costs for counties. As counties have the option of storing paper records or entering them into the statewide database, costs have not been estimated.

State Appropriations

The Department of State requires an appropriation of \$12,288 from the department's cash fund for FY 2010-11.

Departments Contacted

| | |
|------------------------------|-------|
| Judicial | Law |
| Personnel and Administration | State |