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FISCAL IMPACT REPORT

ORIGINAL DATE 2/19/07
 LAST UPDATED 3/15/07

SPONSOR HJC HB CS/1156/aSRC

SHORT TITLE Various Election Code Changes SB _____

ANALYST Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB1155

SOURCES OF INFORMATION

LFC Files

Responses Received From

Corrections Department
 Attorney General's Office (AGO)
 Secretary of State

SUMMARY

Synopsis of SRC Amendments

Senate Rule Committee amendments stipulated that hand tallied paper votes shall be counted if the presiding judge and election judges for the precinct unanimously agree that the voter is clearly discernable.

Synopsis of Original Bill

House Bill 1156, as substituted by the House Judiciary Committee, prohibits the release of a voter's social security number and date of birth, establishes recount procedures, along with standards for recheck for electronic voting and recount for paper, absentee and provisional ballots. It defines a unique identifier to mean random numbers, letters and symbols assigned to a voter and voter information to mean a document containing name, address and precinct number. It allows messengers to pick up absentee ballots from polling places. It states that voter registration will be cancelled if a voter is convicted of a felony and restored only when

unconditionally discharged from a correctional facility and completed all probation or parole conditions. It explains the how the county clerk shall prepare the precinct voter lists. It makes a person who collects absentee ballots but fails to submit them guilty of a petty misdemeanor and one who intentionally alters a voter's absentee ballot guilty of a fourth degree felony. It establishes the nominating procedure for candidates seeking preprimary convention designation and explains the number of signatures needed for nominating petitions. It allows the Secretary of State to assist in preparing ballots; changing provisions related to assistance of voters at the polls; providing procedures for preserving and clearing voting system memory cards; giving the Secretary of State authority to determine the form of the ballot for constitutional amendments; removing certain references to absentee, emergency and provisional ballots; changing the deadline for school board election proclamations

SIGNIFICANT ISSUES

The AGO lists the following issues.

Section 3 appears to state that if the difference is very small, then the “remaining ballots shall be recounted using” a tabulator. Does that mean that every election has to be re-counted by tabulators?

Who has to pay for the process under Section 3?

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The Secretary of State offers that the consequences will be a complex processes for Secretary of State's office as well as costly elections and potential for litigation.

POSSIBLE QUESTIONS

Will voter confidence be increased by this measure?

EO/mt