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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/6/08

SPONSOR HVEC LAST UPDATED \_\_\_\_\_ HB 191/HVECS

SHORT TITLE Automatic Absentee Ballot Requests SB \_\_\_\_\_

ANALYST Ortiz

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Association of County Clerks (ACC)

#### No Responses Received From

Secretary of State (SOS)

### SUMMARY

#### Synopsis of Bill

House Bill 191 adds a new section to the Election Code that allows a voter to request that an absentee ballot be sent to the voter automatically for all elections. A voter may request, in writing to be included on a permanent list of voters to receive an absentee ballot all elections. The county clerk must maintain the list, including verification of signature on the request with the voter's registration form. The county clerk shall mail an absentee ballot to eligible voters on the permanent absentee voter list. If the he voter has not notified the election officer forty-five days prior to an election that the voter does not wish to receive an absentee ballot, the ballot will automatically be mailed. Voter's may be removed from the permanent early voting list if the voter requests it in writing; the voter's status is moved to inactive or canceled as provided by law; or the absentee ballot sent is returned undeliverable. If a voter fails to vote an absentee ballot, it does not constitute grounds to remove the voter from the permanent early voting list.

### SIGNIFICANT ISSUES

The substitute bill addresses the concerns that the Association of County Clerks and Secretary of State referenced in their analysis of the original bill.

**TECHNICAL ISSUES**

The Association of County Clerks' would like know if the statewide voter file has the ability to create a permanent absentee class of voters, without spending an excessive amount of money to do include this feature in the system.

**OTHER SUBSTANTIVE ISSUES**

ACC, expressed concern that the permanent absentee voters are required to get their ballots mailed first when all absentee voters are supposed to be treated the same.

Additionally, the majority of voters do not notify county clerks when they move, so it is unlikely voters will tell county clerks 45 days before an election that they don't want a ballot. Therefore, if they fail to follow the 45 day procedure they is no alternative and they must use the ballot they were sent. If they admit to destroying their absentee ballot, they cannot be issued a replacement, nor may they vote at the polling place. As a result, a voter may be disenfranchised from the voting process. There is also potential for absentee ballot fraud.

EO/mt:bb