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FISCAL IMPACT REPORT

ORIGINAL DATE 02/09/11

SPONSOR HCPAC LAST UPDATED 02/16/11 HB 105/HCPACS

SHORT TITLE Electronic Voter Registration SB _____

ANALYST Wilson

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$124.0-\$125.0			Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Secretary of State (SOS)

Taxation & Revenue (TRD)

SUMMARY

Synopsis of Bill

The House Consumer & Public Affairs Committee substitute for House Bill 105 requires Motor Vehicle Division (MVD) personnel to conduct voter registration in a manner such that the applicant is able to fill out the full certificate of registration electronically. The applicant's digital signature shall be affixed to the certificate of registration.

The bill further requires that a MVD employee or contractor shall not reveal the existence of or the nature of the voter registration to anyone other than a registration officer.

In addition, any voter registration made or accepted at a MVD office shall be transmitted to the appropriate registration officer within seven calendar days instead of the ten that is in current law.

The SOS shall work with the MVD to ensure compliance in the application of the provisions of this section with the federal National Voter Registration Act of 1993 as well as consistent implementation with the various counties, based on the classification of the county and the developing technology.

FISCAL IMPLICATIONS

TRD provided the following:

The effective date of the bill is January 1, 2012. This effective date should allow the changes to be implemented into the new MILAGRO system currently in development. It is assumed that the MVD will undertake no other changes to existing systems.

In initial discussions, MVD-IT personnel envision a new on-line application that will be available to the customer following completion of the MVD transaction, and a discussion of voter registration with the MVD clerk. Computer terminals will be available to the customer, and might be those terminals used for driver tests. The MVD clerk's terminal could not be used for this purpose.

The on-line transaction form will possibly be pre-loaded with the applicant's name and address if security can be assured and the questions on the application screen will mimic those on the existing paper registration application. An electronic signature pad will need to be added to all MVD public terminals and kiosks. There are approximately 250 to 300 units. A pop-up box will direct the applicant to sign the name on the signature pad. The entire record, along with the signature will be forwarded to the SOS. Development of such a system will be amended into the existing MILAGRO contract, and it is roughly estimated the contractor's price will be about \$100 thousand to \$120 thousand. The electronic signature pad hardware will only cost \$4 to \$5 thousand.

SIGNIFICANT ISSUES

A lawsuit was brought in 2009 against TRD and SOS for violations of the National Voter Registration Act. Under the settlement agreement in that lawsuit, MVD is required to offer voter registrations to all persons obtaining services at MVD offices. Currently, the MVD offices transmit the completed voter registrations to the county clerks. SOS is required to provide a quarterly report to the plaintiff's attorney as to the numbers of voter registrations completed by the MVD offices and the number accepted by the county clerks.

This bill will allow SOS to complete these tasks in a more efficient manner. It is also expected that the electronic registration at MVD offices will eliminate issues with incomplete registrations, such as instances where no party designation is made and "decline to state" is not checked, because it is expected that the electronic registration will not allow an incomplete registration to be submitted.

ADMINISTRATIVE IMPLICATIONS

SOS and TRD can handle the requirements of this bill with existing staff.

DW/bym