

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 48

**PRINTER NO.** 584

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

January 11, 2019

**PRIME SPONSOR**

Senator Gordner

**DESCRIPTION**

Senate Bill 48 amends the Election Code to provide for a Voting System Decertification Commission when the Secretary of the Commonwealth plans to decertify voting machines in 50% or more of the counties.

This legislation would require that when it is the intention of the Secretary of the Commonwealth to decertify voting machines used in at least 50% of the counties, the Department of State must submit a written plan to the General Assembly at least 180 days prior to the decertification date. This plan must include the reason for decertification, the estimated cost to replace the machines, a plan to fund the replacement, a plan for replacing decertified voting machines and an estimated completion date.

A commission made up of 11 members shall be established within 10 days of receiving the written plan of machine decertification. The commission will have 90 days to review the written plan; hold at least two public hearings; and provide a report, including the cost of implementation and recommended state funding share, justification for decertification, recommended legislative action, and any dissenting opinions of commission members. Commission members shall include:

- Two members appointed by the Governor,
  - One of whom shall be a County Commissioner and
  - One of whom shall be a County Election Officer;
- The Secretary of the Commonwealth;
- The Chair of the State Government Committee in the Senate;
- The Minority Chair of the State Government Committee in the Senate;
- The Chair of the State Government Committee in the House of Representatives;
- The Minority Chair of the State Government Committee in the House of Representatives; and
- One legislator from each of the four caucuses appointed by the President Pro Tempore and Speaker of the House of Representatives, in consultation with the majority and minority leaders of the respective chambers.

# SENATE APPROPRIATIONS COMMITTEE

## FISCAL NOTE

The legislature will be responsible for the administrative support of the commission. No member of the commission shall receive compensation for their service but shall be reimbursed for travel and reasonable expenses.

This act shall take effect immediately.

### **FISCAL IMPACT:**

Currently, the Department of State (department) has set a decertification date for machines used in more than 50% of the counties for December 31, 2019. If this legislation were to go into effect prior to July 1, 2019, there would be enough time for the process prescribed by Senate Bill 48 to take place. This analysis assumes the administrative duties for the department would be similar to the actions the department took this year and are capable of being accommodated again within existing funding levels.

The additional costs for the administrative support of the commission and reimbursements of commission members' costs are anticipated to be \$8,000 and can be accommodated within current appropriation levels.