

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0181H.02C
Bill No.: HCS for HB Nos. 324 & 423
Subject: Elections; Disabilities
Type: Original
Date: March 16, 2021

Bill Summary: This proposal requires election authorities to make available at least one electronic voting machine per polling location for blind or visually impaired voters at an election in order to comply with federal law.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	\$0 up to (\$3,805,000)	\$0 up to (\$2,239,600)	\$0 up to (\$2,239,600)
Total Estimated Net Effect on General Revenue	\$0 up to (\$3,805,000)	\$0 up to (\$2,239,600)	\$0 up to (\$2,239,600)

*For the purposes of this fiscal note, Oversight assumes local election authorities already possess the necessary equipment to meet the requirements described in the bill. However, in the event local election authorities will need to purchase additional machines to meet the requirements of this proposal, the estimated cost per machine according to Office of the Secretary of State is \$5,000. Therefore, Oversight will reflect a cost of Up to \$3,805,000 (761 machines x \$5,000) in FY 2022. Oversight has reflected potential operation and maintenance costs as being paid by the state as well in subsequent fiscal years.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Total Estimated Net Effect on FTE	0	0	0

- ☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- ☐ Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Local Government	\$0	\$0	\$0

*Transfers In and Costs net to zero.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Secretary of State (SOS)** assume the proposal will have no fiscal impact on their organization.

Oversight notes that **SOS** stated in comparison to fiscal note prepared for HB 1787 (2018 session) there has been a reduction in requirements in this proposal. While large jurisdictions still have to have one visually-impaired-friendly voting machine per polling place, smaller ones (most of them) now only have to have one in general for the county. The assumption is that the large jurisdictions that exceed the population number required will already have enough of these machines to accommodate one per polling place, and the small ones already must have one for Help American Vote Act (HAVA), so, as written, no new machines should need to be purchased.

Oversight notes there are a total of 116 local election authorities in the state. Three of those have 350,000 or more residents: Kansas City Election Board has 115 polling places, St. Charles County has 122 polling places, and St. Louis County Board of Elections has 411 polling places. This is a total of 648 polling places that would require at least one voting machine per polling place. The remaining 113 election authorities have less than 350,000 residents, only requiring them to have one voting machine for the county. For the purposes of this fiscal note, Oversight assumes local election authorities already possess the necessary equipment to meet these requirements. In the event local election authorities will need to purchase additional machines to meet the requirements of this proposal, as stated in HB 1787 from 2018, the estimated cost per machine according to SOS is \$5,000. Therefore, Oversight will reflect a cost of Up to \$3,805,000 (761 machines x \$5,000).

This proposal also indicates that additional costs for maintenance and use of the machines shall be paid by the state, subject to appropriation.

Oversight notes according to SOS on HB 1787, based on the 2016 Presidential Preference Primary, statewide elections can incur machine operation costs of up to \$1,690,000 per election for machine programming and equipment rental (for specific situations where additional machines are needed on a per-election basis). While accessible machines are already required to be available for federal elections (including August and November of even-numbered years and the Presidential Preference Primary), local election authorities will collectively incur these operation costs at least once each year (for the general municipal election each April) and could do so additional times in a given year (such as March elections for charter cities/counties or special election dates).

Local election authorities each year enter into maintenance contracts with their machine vendors, which include software and hardware licenses. For accessible machines, the cost of each year's maintenance is estimated at \$200 per machine per year. Assuming one accessible machine per

polling place (2,748, based on the number of polling places used statewide for the 2016 General Election per general election survey reports), this would create a cost to the state of up to **\$549,600** each year for upkeep on the required devices.

In response to a previous version, officials from the **Kansas City Election Board** assumed the proposal would require additional preventative maintenance on these machines of \$25,000 per year.

Officials from the **Platte County Board of Elections** assume the proposal will have no fiscal impact on their organization.

In response to a previous version, officials from the **St. Charles County Board of Elections** and **St. Louis County Board of Elections** both assume the proposal will have no fiscal impact on their organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight notes this proposal states any additional election costs for the maintenance and use of such machines during statewide and general assembly elections shall be paid by the state and subject to appropriation. Therefore, Oversight assumes the local election authorities will see no net fiscal impact from this proposal.

Oversight notes we are unable to determine the number of election authorities that may need to purchase additional machines to meet the requirements in this proposal. Therefore, Oversight will show the fiscal impact as \$0 up to (\$3,805,000) for FY2022, \$0 up to (\$2,239,600) for FY2023, and \$0 up to (\$2,239,600) for FY2024.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
GENERAL REVENUE FUND			
<u>Cost – SOS</u> Voting Machines	\$0 up to (\$3,805,000)	\$0	\$0
Election Use Costs	\$0	\$0 up to (\$1,690,000)	\$0 up to (\$1,690,000)
Maintenance Fees	\$0	\$0 up to (\$549,600)	\$0 up to (\$549,600)
<u>Total Cost – SOS</u>	<u>\$0 up to (\$3,805,000)</u>	<u>\$0 up to (\$2,239,600)</u>	<u>\$0 up to (\$2,239,600)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0 up to (\$3,805,000)</u>	<u>\$0 up to (\$2,239,600)</u>	<u>\$0 up to (\$2,239,600)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
LOCAL ELECTION AUTHORITIES			
<u>Cost</u> - additional machines plus other costs related to making voting machines available at all elections	\$0 up to (\$3,805,000)	\$0 up to (\$2,239,600)	\$0 up to (\$2,239,600)
<u>Transfer In</u> - General Revenue- cost of additional machines plus other costs related to making voting machines available at all elections	\$0 up to \$3,805,000	\$0 up to \$2,239,600	\$0 up to \$2,239,600
ESTIMATED NET EFFECT ON LOCAL ELECTION AUTHORITIES	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

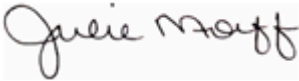
FISCAL DESCRIPTION

This bill requires the use of a Help American Vote Act compliant machine for blind or visually impaired voters to be used at state and local elections as well as federal elections. The costs of using the machines at any statewide or general election will be paid by the state and subject to appropriation. The bill does not require voting using the machines, and assisted voting for the blind or visually impaired will continue to be allowed.

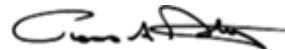
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Kansas City Election Board
Platte County Board of Elections
St. Charles County Board of Elections
St. Louis County Board of Elections



Julie Morff
Director
March 16, 2021



Ross Strobe
Assistant Director
March 16, 2021