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S.B. 71
135th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Passed by the Senate

Primary Sponsor: Sen. Gavarone

Local Impact Statement Procedure Required: Yes

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Highlights

- The Secretary of State (SOS) estimates that the total cost of implementing the bill would be approximately \$5.0 million, about half of which would be borne by county boards of elections.
- The SOS estimates the costs to staff and operate the new Office of Data Analytics and Archives would be approximately \$2.7 million. Of this, \$1.0 million would go toward software updates to the Statewide Voter Registration Database (SWVRD), \$1.0 million would go toward data analytics programs, software and equipment, and \$700,000 each fiscal year would go toward ongoing costs for staffing.
- The bill modifies the way county boards of elections must retain election data, enter it into the SWVRD, and make it available to the public. This would result in increased vendor costs to county boards of elections, estimated to be \$2.3 million cumulatively.
- Section 3 of the bill specifies that the General Assembly intends to provide funding to the SOS and county boards of elections to cover their costs in complying with the bill.

Detailed Analysis

Overview

The bill enacts the Data Analysis Transparency Archive (DATA) Act to create a new office within the Secretary of State's (SOS) Office, the Office of Data Analytics and Archives. The bill also modifies the manner in which the county boards of elections must retain election data, enter it into the Statewide Voter Registration Database (SWVRD), and make it available to the public. In totality, the changes of the bill would result in both vendor software costs to county boards of elections, as well as additional operating costs for the SOS related to the newly created office.

The SOS estimates that, in total, the changes required under the bill will cost approximately \$5.0 million, just under half (\$2.3 million) of which, will be related to county boards of elections vendor costs. Section 3 of the bill expresses the intent of the General Assembly to provide funding to the SOS and county boards of elections to help them implement these changes.

Office of Data Analytics and Archives

The SOS projects that the cost for starting up and operating the Office Data Analytics and Archives, which would be responsible for retaining, analyzing, and publishing both election and business services data, is approximately \$2.7 million. (While the SOS generally already performs these functions between the Elections Division and Business Services Division, current law does not specify what SOS employees are responsible for doing so.) Of that amount, approximately \$2.0 million would be for IT upgrades to the SWVRD and storing and analyzing relevant election data as required by the bill. Costs for new staff and contract services are estimated to be \$700,000. Of the additional IT costs, the SOS anticipates a cost of \$1.0 million for upgrades and modifications to the SWVRD that are needed so the system can accommodate uniform reporting requirements, along with any rules the SOS anticipates adopting under the bill. There would also be about \$1.0 million in new costs related to data analytics and summation, reporting and storage, including needed software and equipment. Finally, The SOS estimates \$700,000 in staffing costs to be used to hire three additional permanent staff members as well as a contractor for the newly created office.

SWVRD changes

The bill codifies the data fields that must be included in the SWVRD for each registered voter and institutes uniform requirements for related recordkeeping. The bill also requires the SOS to (1) prescribe rules under the Administrative Procedure Act specifying the manner in which retained voter registration records in other data formats be converted for inclusion in the SWVRD, and (2) establish a method for transmitting the data, including daily update reports from county boards of elections (BOEs). Currently, the SWVRD includes all the information listed in the bill. However, as a practical matter, the manner of data entry is not standardized, which can result in discrepancies when comparing data across various county boards of elections.

All of these changes impose new costs on county BOEs. The SOS's current estimate is that the changes that county BOEs would need to make to their voter registration systems, work that would be done by IT vendors, would cost \$2.3 million. As of this writing, all 88 county boards contract with one of four qualified statewide vendors to provide voter registration software.