

LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS

200 W. Washington St., Suite 301
Indianapolis, IN 46204
(317) 233-0696
iga.in.gov

FISCAL IMPACT STATEMENT

LS 6963

BILL NUMBER: HB 1264

NOTE PREPARED: Feb 20, 2024

BILL AMENDED: Jan 25, 2024

SUBJECT: Election Security.

FIRST AUTHOR: Rep. Wesco

FIRST SPONSOR: Sen. Gaskill

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: *Local Election Provisions*– The bill provides that a political subdivision that conducts or administers an election may not join the membership of, or participate in a program offered by, or purchase a service from a person who has directly financed certain elections activities.

In-Person Voter Registration– The bill specifies proof of residency requirements that apply to certain individuals who register to vote in person at a registration agency.

Proof of Residency– The bill makes conforming amendments to provisions that concern proof of residency requirements that apply to certain individuals who register to vote by mail.

Statewide Voter Registration System– The bill requires the Statewide Voter Registration System (SVRS) to contain a feature that identifies voter registrations that list a potential nonresidential address. The bill specifies a process that a county voter registration official must follow if this feature identifies a voter registration that lists a potential nonresidential address.

Secretary of State– The bill allows the Secretary of State to contract with a company to receive commercially available data. The bill requires the National Voter Registration Act (NVRA) official or a contractor to use this information to identify a voter whose residence may have changed.

Election Division– The bill requires the NVRA official to compare the SVRS with the Bureau of Motor Vehicles list of temporary credentials. The bill specifies a process that must be followed if evidence exists that a registered voter is not a citizen of the United States.

Juror Information– The bill requires the state to provide to each county voter registration office information concerning a voter who is disqualified or potentially disqualified as a prospective juror from jury service because the voter is not a United States citizen. The bill specifies the actions a county voter registration office must take concerning certain juror information.

Electronic Poll Books– The bill provides that a voter shall mark the voter's political party ballot selection on the electronic poll book instead of communicating the selection to the poll clerks. The bill requires an electronic poll book to permit reports to be electronically transmitted by the county election board to a political party or independent candidate who is eligible to appoint a watcher. (Current law applies this requirement to a political party or independent candidate who has appointed a watcher.)

Effective Date: July 1, 2024; January 1, 2025; July 1, 2025.

Explanation of State Expenditures: *Statewide Voter Registration System*– This provision would likely require a modification to be made to the SVRS. Any impact of this provision to state expenditures would be determined between the Election Division and their information systems vendor. If existing funds are not sufficient, further legislative or administrative action may need to occur in order to cover the expenditures necessary to carry out the modification.

Forms– The Election Division would need to update the Voter Bill of Rights and various voter registration application forms to reflect the bill's changes. It is likely the Division would be able to update the forms electronically as a routine matter of business.

Secretary of State– Any impact of this provision on state expenditures would depend on the agreed contractual amount between a vendor that can provide the data described within the bill and the State.

Election Division– It is likely the Election Division's current level of resources would be sufficient to carry out the additional state level administrative responsibilities this bill would require.

Bureau of Motor Vehicles– The BMV Commission would see a minor workload increase to compile a list of temporary credentials as required by the bill. The administrative functions of the BMV Commission are paid from appropriations from the BMV Commission Fund, which is a dedicated fund.

Juror Information– When making a request to the United States District Courts of the Northern and Southern districts of Indiana for jury selection return mailings data, the NVRA official making the request would now need to make an additional request for data on individuals disqualified for jury service due to citizenship status. It is likely the NVRA official could request this additional data within the Election Division's existing staff and resource levels.

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary*– The bill would increase the administrative workload of county voter registration offices (CVROs) and county election boards. If additional personnel were needed to comply with the requirements of the bill, each county would have to decide through their legislative and fiscal bodies to determine the amount of additional funding.

Proof of Residency– CVRO's may see a slight increase in administrative responsibilities to determine if certain voter registration applications need additional documentation or not as required by the bill.

Electronic Poll Books– Unless required of the parties and independent candidates, there may be some additional expenses to counties in order to provide a secure link for the reports to be electronically transmitted by the county election board to a political party or independent candidates that have watchers.

Explanation of Local Revenues:

State Agencies Affected: Secretary of State, Election Division, Department of Administration; Bureau of Motor Vehicles.

Local Agencies Affected: County election boards, CVROs, county legislative and fiscal bodies.

Information Sources:

Fiscal Analyst: Chris Baker, 317-232-9851.