

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB371

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Vogel

3. Committee: Engrossed by Senate

4. Title: State Board of Elections; membership; appointment of Commissioner of Elections.

5. Summary: Expands the membership of the State Board of Elections from five members to eight members with equal representation given to both parties. The bill also gives the State Board of Elections the authority and duty to appoint the Commissioner of Elections of the Department of Elections. The appointment and removal of the Commissioner require an affirmative vote of five of the eight Board members. The bill provides that the Chief Justice of the Supreme Court of Virginia shall designate a retired judge of the circuit courts of Virginia to serve as the tie breaker for the Board for a term of one year. The bill has a delayed effective date of January 1, 2023.

6. Budget Amendment Necessary: See Item 8.

7. Fiscal Impact Estimates: Preliminary; see Item 8

8. Fiscal Implications: The expected impact of this bill is likely absorbable and does not necessarily require additional funding.

This bill would increase membership of the State Board of Elections (the Board) from five to eight members with the addition of one retired judge designated as a tie-breaker and to serve ex officio with nonvoting privileges except in the case of a tie vote. The Department of Elections estimates an annual cost of \$3,104 per additional Board member. This estimate is based on the following annual cost for a new member at current rates: four days of lodging and per diems at a cost of \$836.00 (lodging \$580, per diem \$256), \$63 for parking, and \$245 for travel per meeting for the nine meetings currently held each year. The average assumed travel distance is 418 miles and was calculated based on the average distance to the State Board of Elections' office from the following three locations: Winchester City in the valley region, Accomack County in the eastern region, and Bristol City in the southwestern region of the Commonwealth. Actual travel costs depend on the distance traveled by an individual member. The total estimated cost for fiscal year 2023 is \$6,208 for the addition of three members and one tie-breaker due to the delayed effective date, with ongoing annual costs of \$12,416 thereafter. This assumes the same reimbursement for the designated tie breaker as for other board members.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections,
State Board of Elections.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/9/2022