

Multiple Agency Fiscal Note Summary

Bill Number: 1798 HB	Title: Voter registration
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Estimated Cash Receipts

Agency Name	2009-11		2011-13		2013-15	
	GF- State	Total	GF- State	Total	GF- State	Total
Total \$						

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

Estimated Expenditures

Agency Name	2009-11			2011-13			2013-15		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of the Secretary of State	6.0	5,321,128	5,321,128	3.0	1,605,114	1,605,114	3.0	1,605,114	1,605,114
Total	6.0	\$5,321,128	\$5,321,128	3.0	\$1,605,114	\$1,605,114	3.0	\$1,605,114	\$1,605,114

Local Gov. Courts *									
Local Gov. Other **	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Total									

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Prepared by: Regan Hesse, OFM	Phone: 360-902-9820	Date Published: Final
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID 22901

FNS029 Multi Agency rollup

Individual State Agency Fiscal Note

Bill Number: 1798 HB	Title: Voter registration	Agency: 085-Office of the Secretary of State
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	6.0	6.0	6.0	3.0	3.0
Fund					
General Fund-State 001-1	4,298,159	1,022,969	5,321,128	1,605,114	1,605,114
Total \$	4,298,159	1,022,969	5,321,128	1,605,114	1,605,114

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact: Cindy Cobb	Phone: 360-786-7126	Date: 02/11/2009
Agency Preparation: Dalene Conant	Phone: 360-586-4553	Date: 02/19/2009
Agency Approval: Dan Speigle	Phone: 360-586-1116	Date: 02/19/2009
OFM Review: Regan Hesse	Phone: 360-902-9820	Date: 02/19/2009

Request # 2009-43-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill permits voter registration up to and on the day of an election, beginning with all elections held after May 1, 2011. It creates a new uniform statewide system for voter registration and requires new rules for a voter challenge process for voters registered during the new in-person registration period.

Under the bill, residents will be allowed to vote simultaneous to submitting a voter registration application. The applicant is allowed to vote before being registered on the statewide voter registration database, as required by RCW 29A.08.651. Other states with Election Day registration provide a black out period for voter registrations 30 days before an election. The blackout period is used by election administrators to process registrations on hand and prepare for the election. Voter registration is then reopened on Election Day. This bill does not provide for any black out period and requires voter registration to be continuous through the date of the election.

Pursuant to state and federal law, all registered voters must provide certain information to register to vote:

- 1) To be eligible to vote registrants must be citizens of the United States.
- 2) Registrants must be residents of Washington State and live in the state, county and precinct 30 days immediately preceding the election. Consistent with other states that allow Election Day registration, and pursuant to Section 2 of the bill, the Secretary of State will adopt rules that require proof of residency at the time of registration for any in-person registration pursuant to RCW 29A.08.145. A Washington State driver's license, state identification card, or other proof of residency will be accepted.
- 3) Registrants must be 18 years of age on or before the next general election.
- 4) Registrants must not currently be denied the right to vote based on a felony conviction or on a court order determining mental incompetence. The Office of the Secretary of State (OSOS) assumes that the registrant meets these eligibility criteria based on the applicant's signed declaration on the voter registration form.

To implement the bill OSOS would need to increase the capacity of the statewide Voter Registration Database (VRDB) to be able to handle the volume of voter registrations, without a black out period, continuously through the date of the election. The state must ensure the system is robust enough to handle a large volume within a short (one-day) period of time. Failure of the statewide VRDB is not an option. If the VRDB is not capable of processing the actual number of transactions the state experiences in any given election, the system could crash, hindering the ability for Washington State citizens to register and vote. This outcome is unacceptable. The credibility and confidence in our state's election system will be shaken, again.

Further discussions and determinations will need to be made prior to the effective date of May 1, 2011 on the timing and sequence of the registration, issuance of the ballot, verification of eligible voter registrations, and tabulation.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Request # 2009-43-1

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Providing registration continuously through to the date of the election would require that the processing power of the VRDB be substantially upgraded. In addition, OSOS would also conduct a statewide media campaign, including mailings, TV, radio, internet and newspaper ads to educate voters.

Changes necessary to increase the processing power of the VRDB would require the following one time and ongoing costs to implement the change in voter registration (see attachment for category and fiscal year cost detail).

ONE TIME:

- Equipment upgrades;
- Software upgrades;
- Personal Services Contract to provide system programming upgrades;
- 3 project staff required starting FY 2010 - two IT 3 and one Program Specialist 4
- Statewide Communications Media campaign.

ON GOING:

- 3 permanent staff required starting FY 2010 - one IT 4, one IT 3 and one Program Specialist 4
- Network connection – the network improvements needed are based upon an expectation that the bandwidth of the IGN connection will need to be upgraded and larger counties will need multiple locations to handle the volume of new registrations.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	6.0	6.0	6.0	3.0	3.0
A-Salaries and Wages	359,248	359,248	718,496	374,904	374,904
B-Employee Benefits	99,711	99,711	199,422	102,210	102,210
C-Personal Service Contracts	1,000,000		1,000,000		
E-Goods and Services	1,784,200	564,000	2,348,200	1,128,000	1,128,000
G-Travel					
J-Capital Outlays	1,055,000		1,055,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total:	\$4,298,159	\$1,022,959	\$5,321,118	\$1,605,114	\$1,605,114

III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2010	FY 2011	2009-11	2011-13	2013-15
Information Technology Specialist 3	55,838	3.0	3.0	3.0	1.0	1.0
Information Technology Specialist 4	71,494	1.0	1.0	1.0	1.0	1.0
Program Specialist 4	60,120	2.0	2.0	2.0	1.0	1.0
Total FTE's	187,452	6.0	6.0	6.0	3.0	3.0

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

This bill requires new rulemaking to devise and implement a new uniform statewide system that will allow for voter registration under RCW 29A.08.145, late registration-special procedures, and protect ballot integrity.

This bill also requires new rulemaking on provisions and procedures for voter registration challenges of voters who register on or within fourteen days before a primary, special, or general election.

HB 1798 Voter Registration Cost Estimate

Additional hardware for production system

6 Biztalk Processing Servers (\$20,000 per server)	\$120,000		
8 SQL Server Database Servers (\$20,000 per server)	\$160,000		
4 Web servers (\$10,000)	\$40,000		
Additional hard drive storage space	\$25,000		

Additional hardware for backup/mirror system

6 Biztalk Processing Servers (\$20,000 per server)	\$120,000		
8 SQL Server Database Servers (\$20,000 per server)	\$160,000		
4 Web servers (\$10,000)	\$40,000		

Additional server at each county

39 servers (\$10,000 per server)	\$390,000		
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Total for hardware - One time cost

\$1,055,000

Additional software licensing for production system

12 Biztalk Servers licenses (\$22,000 per processor)	\$264,000		
8 SQL Server licenses (\$18,000 per processor)	\$144,000		
14 Windows Server Enterprise licenses (\$2,000 each)	\$28,000		
4 Windows Server Standard licenses (\$600 each)	\$2,400		
8 Marathon Endurance (\$20,000 per processor)	\$160,000		

Additional software licensing for backup/mirror system

12 Biztalk Servers licenses (\$22,000 per processor)	\$264,000		
8 SQL Server licenses (\$18,000 per processor)	\$144,000		
14 Windows Server Enterprise licenses (\$2,000 each)	\$28,000		
4 Windows Server Standard licenses (\$600 each)	\$2,400		
8 Marathon Endurance (\$20,000)	\$160,000		

Additional software licensing for county servers

39 Windows Server Standard licenses (\$600 each)	\$23,400		
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Total for hardware - One time cost

\$1,220,200

State Intergovernment Network (IGN) network upgrades

Provide each county with 512K minimum bandwidth
 Estimated \$1,200 per month per 39 counties
 Estimated \$47,000 per month statewide
 Estimated \$1,128,000 per biennium (24 months)

Total for network improvements - Ongoing cost

\$1,128,000 \$1,128,000 \$1,128,000

Software re-architecting to handle increased system volume

Software and database enhancements/upgrades on VRDB	\$500,000		
Election management system vendor software interface upgrades (Vendors: DFM Associates, Diebold, Votec, Elections System & Software)	\$500,000		

Total for VRDB software upgrades - One time cost

\$1,000,000

Additional staffing resources

Information technology positions (2 Database, 2 Network)	\$610,694	\$323,502	\$323,502
Elections VRDB Help Desk (2 customer support)	\$307,224	\$153,612	\$153,612

Total for additional staffing

\$917,918 \$477,114 \$477,114

Grand Total

\$5,321,118 \$1,605,114 \$1,605,114

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 1798 HB	Title: Voter registration
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☒ Counties: For additional staff during lengthened voter registration period and post-election processing costs
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☐ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☒ Key variables cannot be estimated with certainty at this time: Impacts from processes and rules adopted by the Office of the Secretary of State to implement the bill

Estimated revenue impacts to:

Jurisdiction	FY 2010	FY 2011	2009-11	2011-13	2013-15
City					
County					
Special District					
TOTAL \$					
GRAND TOTAL \$					

Estimated expenditure impacts to:

Indeterminate Impact

Part III: Preparation and Approval

Fiscal Note Analyst: David Elliott	Phone: (360) 725 5033	Date: 02/23/2009
Leg. Committee Contact: Cindy Cobb	Phone: 360-786-7126	Date: 02/11/2009
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/23/2009
OFM Review: Regan Hesse	Phone: 360-902-9820	Date: 02/23/2009

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

See attachment

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

See attachment

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

See attachment

Bill Number: **HB 1798**
Short Title: **Voter registration**

PART IV / ANALYSIS

A – Summary of Bill

Description of the bill with an emphasis on how it impacts local government.

This bill lengthens the in-person voter registration period before each election, creates a new uniform statewide system for in-person voter registration, requires new rules for a voter challenge process for voters registered during the in-person period, grants the Office of the Secretary of State (OSOS) rule making authority, and sets an effective date of May 1, 2011. Under the bill, the in-person registration period is extended by 15 days to election day. If the voter's information is incomplete, or incorrect, or fails to match other data, the ballot is sequestered until the discrepancy is resolved. If the information is corrected prior to the last day to certify election results the ballot is counted and the voter is registered.

Sections with local government impacts:

Section 1 amends 29A.08.145 to remove the deadline for in-person voter registration and add election day registration.

Section 2 (1) requires the OSOS and the county auditors to devise and implement a uniform statewide system that will allow for in-person voter registration and protect ballot integrity by May 1, 2011. The system must provide for sequestration of ballots issued to new registrants until the voter's identification is verified. Once the registration is verified the ballot may be tabulated.

Section 2 (2) outlines requirements for verification of identification prior to a vote being tabulated. If the information on the voter registration application is incomplete or the information cannot be verified the vote is not counted unless the discrepancy is resolved prior to certification of the election.

Sections 3 and 4 require new OSOS rule making for the voter registration challenge process during the in-person registration period.

LEAD AGENCY ASSUMPTIONS

The following information is included from the Office of the Secretary of State fiscal note because the assumptions have implications for the number of ballots subject to sequestration under the provisions of this bill.

■ Registrants must be residents of Washington state and live in the state, county and precinct 30 days immediately preceding the election. Consistent with other states that allow election day registration, and pursuant to Section 2 of the bill, the Secretary of State will adopt rules that require proof of residency at the time of registration for any in-person registration pursuant to RCW 29A.08.145. A Washington state driver's license, state identification card, or other proof of residency will be accepted.

■ Further discussions and determinations will need to be made prior to the effective date of May 1, 2011 on the timing and sequence of the registration, issuance of the ballot, verification of eligible voter registrations, and tabulation.

■ OSOS would need to increase the capacity of the statewide Voter Registration Database (VRDB) to be able to handle the volume of voter registrations, without a black-out period, continuously through the date of the election. The state must ensure the system is robust enough to handle a large volume within a short (one-day) period of time.

■ Providing registration continuously through to the date of the election would require that the processing power of the VRDB be substantially upgraded.

B – Expenditure Impacts

Describes and quantifies the potential expenditure impacts of the legislation on local government, distinguishing between city, county and special district impacts when appropriate.

SUMMARY

County election offices expect expenditure impacts in five forms:

- 1) Possible one-time systems upgrade costs to be able to track ballots of unverified voters;
- 2) Implementation of ballot on demand for some counties;
- 3) Increased space requirements;
- 4) Staff costs for maintaining customer service counters for an additional 15 calendar days;
- 5) Staff costs associated with curing any discrepancies in voter registration identification prior to counting each ballot.

Equipment and system costs:

The one-time fiscal impacts in the form of system and equipment upgrades may be needed to accommodate the requirement to sequester ballots issued to voters who have not had their identification verified. Some county voter registration database systems may not allow issuance of a ballot prior to verification of voter identification.

Ballot on demand:

Some counties do not have ballot on-demand capabilities. This is the ability to provide any type of ballot to a voter at the public service counter. When ballots are mailed, the ballot mailing package is often created in a batch form and stored in a mailing center or warehouse until it is needed for mailing. This process is used during the current in-person voting period. Counties will need to have access to all types of ballots during the final days of the registration period. This is accomplished either by warehousing the ballots at the counter or using a ballot on-demand system.

Increased space requirements:

Counties are concerned that they may require more space to serve the public during the in-person registration period. This is especially a concern for those that do not have ballot on-demand capability. King County expects to establish several Accessible Voting Centers (AVC) to serve voters during the extended registration period.

Staffing costs related to a public service counter:

There will be variable ongoing cost increases expected in high-participation elections for extra staff to staff the public counter.

Staffing costs related to identification follow up:

There will be variable ongoing cost increases expected in high-participation elections for extra staff to resolve any identification problems.

BACKGROUND

High-participation elections are usually in the even calendar year (odd fiscal year). However, some of the six charter counties have chosen to use the odd calendar year (even fiscal year) for their county elections.

Cost estimates are difficult because the effects of the new uniform statewide system required in Section 2 of the bill are not known. Changes to the existing Voter Registration Database (VRDB) may streamline the process and reduce the number of sequestered ballots that may need extra processing. It is also not clear in Section 2 (2) what steps must be taken to resolve discrepancies in identification verification.

Cost implications of the lead agency assumptions:

The level of effort required of local officials to resolve discrepancies in voter information will depend on the level of identification requirements in the rules adopted by the OSOS. If voters provide a Washington state-issued identification, or proof of residence, there is a high likelihood of an identification match. If other forms of identification are provided, more effort will be required to resolve discrepancies. It is not possible to predict the number of ballots that will be subject to sequestration.

COST ESTIMATES

Software costs cannot be estimated. Estimated staffing costs are shown in Table 1. The headings show both calendar years and fiscal years. The counties expect fall elections to be most impacted. Fall elections of a calendar year show up in the following fiscal year.

Staffing costs, most elections:

In special elections and "off year" elections (elections with less voter interest) there will be lesser fiscal impacts from this bill. Most counties expect to be able to accommodate the lengthened in-person voter registration period with existing staff and because of the "sequestered ballot" portion of the bill do not expect additional provisional ballot workload.

Staffing costs, high-turnout elections:

During high-turnout elections, (presidential and some even year) there will be a need to continue the higher staffing levels required by in-person voter registration for the additional 15 days. This means that staff "working the counter" will not be available to perform other functions, and additional staff hours will be required. The Local Government Fiscal Note Program (LGFN) conducted a survey of counties in the spring of 2008 requesting cost estimates for longer in-person voter registration periods for high-turnout elections. Twenty-six counties of various sizes provided responses, allowing an estimate for all 38 counties except King County. King County provided separate estimates during the legislative session.

The highest-participation elections will be in the even year, especially the presidential election year with the addition of some odd-year elections in the charter counties (Clallam, King, Pierce, San Juan, Snohomish, and Whatcom). Charter counties often elect their county officers in the odd year.

TABLE 1: Estimated extra staff costs

Calendar/Fiscal Year	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
King County	\$150,000	\$150,000	\$150,000	\$400,000	\$150,000	\$150,000
Other Counties	\$84,500	\$133,350	\$84,500	\$273,900	\$84,500	\$133,350
TOTAL COUNTIES	\$234,500	\$283,350	\$234,500	\$673,900	\$234,500	\$283,350

DISCUSSION

There will be fiscal impacts beginning in the 2011 calendar year (FY 2012). Estimated expenses will vary by fiscal year, peaking in presidential election years. These estimates are based upon a LGFN survey that generated responses from 37 counties, 26 of whom provided cost estimates. The estimate does not include any costs for additional state-shared hardware or software licenses; those are addressed in the OSOS fiscal note.

The in-person registration period is changed from 15 days before the election to election day. During the first part of the lengthened period, the voter will be mailed an absentee ballot, after their identification is verified. This is the same process currently in place extended for a longer period of time. During the final days and election day, the voter must be given a ballot at the counter prior to verification. The timing of when counties change from mailing to handing out ballots will affect the number of ballots subject to sequestration and further processing. The later the change is made, the fewer ballots issued requiring extra processing.

The timing of the change from mailing to over-the-counter delivery will vary from one county to another and also depend on the type of election. Some counties have much slower mail service because the mail is no longer sorted locally. They will need to make this switch sooner than others. For example, mail sent in Goldendale for another address in Goldendale is sorted in Portland, Oregon. This transit takes several extra days. Logically, Klickitat County will need to switch sooner than other counties.

Section 2 of the bill allows all voters to vote a regular absentee ballot. The ballot must be sequestered until the voter registration information is verified. This section allows counties to provide the voter a standard ballot. While the bill is not clear on notification requirements for the voter of the need to provide correct or additional information prior to the ballot being counted, the lead agency assumptions supplied by the OSOS are intended to minimize the number of problematic ballots. The ballot can be counted after voter information is verified; this lasts until the last day of the certification period.

Under current procedures, election office public counter staff levels are reduced after the 15-day closed period begins. Those staff members are used for other duties. Counties expect to hire additional clerks and/or extending the employment of temporary clerks for the additional 15 days of in-person registration. Most counties expect cost increases, though there will be variation in costs depending on the size of the county and the mobility of the population. Small rural counties with stable populations have lower levels of in-person voter registration. Urban counties and those with large colleges and universities experience significantly higher participation during the final week of in-person voter registration.

Voter Registration System:

Voter registration database computer systems are central to the operation of each election department. These systems are connected to the statewide VRDB located at OSOS and perform all of the local tasks involved in issuing and tracking the millions of ballots issued and processed for each election. Depending on which brand of local voter registration software a county is using, county election departments may incur one-time costs for programming modifications in order to allow issuance of a ballot prior to verification of voter information.

Five or six types of voter registration software are used by counties. The software used in King County and most of the other large counties is the same; county election officials do not expect costs to modify that software because it has enough flexibility to accommodate the change to sequestered registration. This is true of at least one other system used by nine counties. Many other counties lease their voter registration system software and expect the systems to be upgraded as a part of their existing lease payments to match any new state law. The remaining counties own the systems and may need to purchase upgrades. It is not known exactly how many systems are inflexible enough that they would require an upgrade and how much each vendor would charge. It is expected to be less than one quarter of the 39 counties.

OSOS technical support staff maintains the VRDB at the state level and work with the counties to support the communications software and hardware that transacts business between the county voter registration systems and the state VRDB. The system components in question were paid for by the state from one-time federal HAVA funds. The OSOS fiscal note mentions changes to the VRDB. Counties have experienced delays in response time from the VRDB. Improvement in response reduces waiting time to quickly serve voters and reduces the need to sequester ballots.

King County expects to spend \$150,000 for one-time capital costs and printers that are used at the counter and then moved to the back office 15 days before each election. The printers would be needed in both locations during the extended registration period. King expects to acquire a larger workspace during some elections to accommodate voters at two satellite locations.

C – Revenue Impacts

Describes and quantifies the potential impacts of the legislation on local government revenue or revenue authority, distinguishing between city, county and special district impacts when appropriate.

None

D – Sources Consulted

Washington State Association of County Auditors
Office of the Secretary of State (OSOS) fiscal note
King County Elections
Chelan County Auditor
Yakima County Auditor
Kitsap County Auditor
Snohomish County Auditor
Thurston County Auditor
LGFN survey of county election offices (conducted spring 2008)