

**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**



Fiscal Note On: **SB 221** SLS 21RS 438  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 25, 2021 4:06 PM	<b>Author:</b> HEWITT
<b>Dept./Agy.:</b> Secretary of State	
<b>Subject:</b> Voting Technology Commission	<b>Analyst:</b> Patrice Thomas

VOTERS/VOTING EG INCREASE GF EX See Note Page 1 of 1  
 Provides relative to voting systems. (8/1/21)

Under present law, the Secretary of State (SOS), with the approval of the Attorney General, may specify rules and regulations on the preparation and use of voting systems. Proposed law removes approval from the Attorney General and provides legislative oversight. Under present law, the SOS is responsible for procurement, sales, transfers of voting systems and Requests for Proposals (RFP) to purchase new voting systems. Proposed law requires the SOS to coordinate with the Office of State Procurement and to develop certification standards for voting systems with legislative oversight. Proposed law requires the SOS to employ 3-5 experts to examine voting systems or system components. Proposed law creates the Voting System Technology Commission and the Voting System Technology Evaluation Committee. Proposed law requires the SOS to procure all voting systems or system components per specifications developed by the Voting System Tech. Commission. Proposed law requires the Voting System Tech. Proposal Evaluation Committee to investigate and test the voting system to ensure qualification established by the Voting System Tech. Commission and direct the SOS to pursue. Proposed law requires the SOS to evaluate voting equipment annually with the Voting Systems Tech. Commission. Proposed law changes the definition of voting machine to remove electronic voting machines. Proposed law is effective 8/01/2021.

<b>EXPENDITURES</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

Proposed law will result in an indeterminable, but minimal, increase in SGF expenditures associated with legislative per diem and travel reimbursements as well as administrative support and resources of a newly created commission and committee within the Secretary of State (SOS). The proposed law creates the Voting System Technology Commission within SOS, which shall be comprised of 10 members. The proposed law provides that the commission members shall serve without compensation, but the four legislative members of the commission may receive per diem and other reimbursements. The legislative per diem is \$160 plus mileage reimbursement, which is currently \$0.56 per mile. Although the proposed law requires the commission to convene their initial meeting before September 1, 2021, and meet at least once a year, the Legislative Fiscal Office cannot determine how frequently the commission will meet. Therefore, the legislative expenses under this measure are indeterminable but anticipated to be minimal. Also, the proposed law creates the Voting System Technology Proposal Evaluation Committee within SOS, which shall be comprised of three members that will serve without compensation. Proposed law requires the SOS to appoint no fewer than three but no more than five experts to examine voting systems or systems components, at a cost not to exceed a total of \$5,000.

The proposed law requires the SOS as well as the Office of State Procurement (OSP) within the Division of Administration (DOA) to staff and/or provide resources for the commission. The proposed law requires the commission to submit a report of its findings and conclusions to the Governor, President of the Senate, Speaker of the House, SOS, and DOA before December 1, 2021. The SOS in conjunction with OSP shall develop the request for proposal (RFP) for a new voting system based on recommendations from the commission's report. The Voting System Technology Proposal Evaluation Committee members shall investigate and publicly test voting systems from respondents of the RFP as well as issue a scoring of each proposal. The proposed law provides that the highest scored RFP by the committee shall be the proposal the SOS submits to OSP for contract review.

The DOA report that any support provided to the commission will utilize existing staff and resources. The SOS reports an indeterminable increase in expenditures to support the operations of the commission and committee. Since the commission and the committee are placed within the SOS's department, the Legislative Fiscal Office presumes some increased costs associated with operations and other resources but anticipates the increase to be minimal.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

- |   |                            |  |
|---|----------------------------|--|
| <u>Senate</u>   | <u>Dual Referral Rules</u> | <u>House</u>   |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}       |                            | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} |                            | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

*Alan M. Boxberger*  
**Alan M. Boxberger**  
 Staff Director