

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4947-25
Bill No.: Truly Agreed To and Finally Passed CCS #2 for HCS for SS #2 for SCS for SB 1014 & 730
Subject: Secretary of State: Elections
Type: Original
Date: May 12, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
General Revenue	Less than (\$5,614,120)	Less than (\$3,897,328)	Less than (\$4,394,683)
Total Estimated Net Effect on General Revenue Fund	Less than (\$5,614,120)	Less than (\$3,897,328)	Less than (\$4,394,683)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 27 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	(Unknown Greater Than \$1,783,112)	(Unknown Greater Than \$1,189,112)	(Unknown Greater Than \$1,189,112)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services** assume no fiscal impact to their agency as a result of this proposed legislation.

SECTION 115.024

According to officials from the **Office of State Courts Administrator(CTS)**, this proposal would require the Supreme Court to establish a panel in each appellate court district to consider election-related petitions in the event of a disaster, as defined in the bill, and to hear any appeals of the panels' decisions.

CTS would not expect the occurrence of a disaster to be so frequent as to impact the workload of the Court.

SECTION 115.225, 115.237, 115.249, 115.439, 115.449, 115.453

Officials from the **St Louis County Board of Elections** state this portion of the proposal would have no fiscal or administrative impact on St Louis County elections.

ASSUMPTION (continued)

Officials of the **Department of Revenue (DOR)** provided this estimate of fiscal impact:

Administrative Impact

Constitutional Amendment 3 (2004) authorizes 3% of highway funds to be used to offset the actual cost to collect such funds by the Department of Revenue.

For purposes of this fiscal note, DOR assumes all costs will be appropriated from the General Revenue fund. Through the appropriations process, the general assembly may appropriate the constitutionally permissible highway fund amount to offset the general revenue fund cost shown in this fiscal note.

SECTION 115.427.7

Requires DOR to issue a nondriver license and waive the fee required under subsection 7 of 302.181 and contract office fee under section 136.055, to any applicant who signs an affidavit verifying they do not have any other form of photographic personal identification (nondriver license) that meets subsection 1, which basically requires the document to be issued by the United States or state of Missouri. In addition, DOR must design and provide the affidavit that is required.

This section also requires DOR to provide access to a mobile voter processing system to obtain the photograph and signature to produce the nondriver license for individuals that are physically unable to otherwise visit contract offices, because they are residents of facilities licensed under chapter 198, RSMo and they have a physician statement to that affect.

In addition, DOR must provide access to the mobile voter processing system to obtain the nondriver license at other public places accessible to and frequented by disabled and elderly persons.

The total cost for processing and issuing any nondriver license photo identification must be paid for by the state through an appropriation to the Department of Revenue.

Local election authorities may assist the department in issuing nondriver license photo identifications.

ASSUMPTION (continued)

This proposal allows an exemption for persons sixty-five and older that do not possess a form of identification specified in this section and are unable to obtain a current and valid form of personal identification, provided they sign an affidavit to that effect. DOR anticipates that the majority of people will take advantage of the free nondriver license photo identification and therefore this will have minimal impact reducing the number of applicants.

DOR assumes that based on the language as written it would affect residents of facilities licensed under chapter 198 and any individual who does not otherwise now have a nondriver license:

41,536 Residents of facilities licensed under chapter 198 who are not likely to be physically able to ambulate to a polling site. (based on statistics from the Department of Health and Senior Services as of January 11, 2006)

x 15% Estimated number of citizens who are eligible and may apply for a no cost nondriver license. Original fiscal note estimated 5%; however, after conferring with Department of Health and Senior Services the percentage is increased to 15%.

6,230 Estimated annual nondriver license applicants

According to the Department of Health and Senior Services there are 1,166 facilities that are licensed under chapter 198, RSMo, throughout the state.

NONDRIVER LICENSE APPLICATIONS

Since there is a November election scheduled DOR, will schedule and visit 1,166 facilities to assist the estimated 6,230 applicants that will apply for the nondriver license and to other public places accessible and frequented by disabled and elderly persons.

DOR will require six (6) additional Administrative Analysts I's beginning June 1, 2006, to coordinate scheduling of the current fourteen (14) field coordinators and the additional fourteen (14) temporary Revenue Licensing Technician 1's during the months of July, August, September, and October. The analysts will also work directly with all 1,166 facilities and administrators to ensure applicants have all the required documents such as a physician statements, lawful presence documents, etc. to obtain a nondriver license.

RWB:LR:OD (12/02)

ASSUMPTION (continued)

In addition, DOR will hire fourteen (14) temporary Revenue Licensing Technician I's beginning June 1, 2006. These employees will be trained on the day-to-day operations in order to assume the responsibilities of the department's current 14 field coordinators during July, August, and September, so the field coordinators can visit and process the anticipated 6,230 applicants in 1,166 facilities. The field coordinators will be required to visit approximately three (3) facilities per day to ensure that all 1,166 facilities and 6,230 applicants are processed by the end for September.

An additional fourteen (14) temporary Revenue Licensing Technicians I's will be hired to travel to other public places accessible to and frequented by disabled and elderly persons. DOR is unable to estimate how many public places that will be scheduled and visited.

In order that the central office is able stay in constant contact with the coordinators to ensure any scheduling changes are coordinated with the least impact on costs, DOR will incur costs for twenty-eight (28) prepaid cellular phones. This cost is estimated at \$30 per phone plus \$30 for an average of 200 minutes per month. $28 \text{ TE} \times \$30 = \840 initial cost for phones. $\$30 \text{ per month} \times 4 = \$120 \times 28 = \$3,360$ for four months.

There will be some processing required for the month of October; therefore, the department will keep approximately seven (7) temporary employees through that month.

On average, field coordinators and fourteen (14) temporary Revenue Licensing Technicians will travel 120 miles (round trip) to each facility and other public places accessible to and frequented by disabled and elderly persons. The current reimbursement rate is \$.375 per mile. The department will require \$104,940 for travel reimbursement.

Training expenses will be incurred for the fourteen temporary employees. DOR will utilize two existing training staff for approximately two weeks to train fourteen temporary employees throughout the state. These employees will hold training seminars in St. Louis, Kansas City, and Springfield area. The average hotel room is \$85 per night and the average miles traveled will be approximately 200 miles per employee per week. $8 \text{ nights} \times 2 \text{ employees} = 16 \times \$85 = \$1,360$ lodging. $400 \text{ miles} \times 2 = 800 \times \$.375 = \$300$ travel reimbursement.

Because on increasing fuel prices the DOR requests an additional \$10,000 to cover the costs of traveling, $\$104,940 + \$300 + 10,000 = \$62,770$.

ASSUMPTION (continued)

Previously DOR identified \$10,000 training material and pamphlet costs, however after reevaluating this legislation the department determined that to effectively educate the public, an additional \$40,000 is required. $\$10,000 + \$40,000 = \$50,000$.

DOR does not have mobile equipment to create a nondriver license; therefore, will incur costs for purchasing over-the-counter systems (OTC) through the current driver license vendor (Digimarc). This system consists of laptop capture stations software, digital cameras/strobe, digital signature capture device, blue backdrop screen and flatbed scanner to obtain the photographs and signatures required to produce the nondriver license at a quality equal to what is issued in the contract offices. The photograph and signature will be electronically transmitted to the central office to create the nondriver license and will be mailed to the resident. Digimarc has quoted the department a cost of \$21,471 per laptop mobile capture system. The department anticipates needing approximately 19 mobile capture systems to ensure all 1,166 facilities will be visited within the three months prior to the elections. One for each region (14) and five for back-up (re-prints, duplicates, etc.). $33 \times \$21,471 = \$708,543$ for laptop mobile capture system.

DOR will require overtime to complete system programming to accommodate mobile ID operations at a cost of \$100,000 for overtime programming.

DOR will also require four (4) temporary Revenue Licensing Technician I's beginning July 1, 2006 through October 2006 to upload via e-mail or to copy with removable media such as a CD, DVD, USB Drive the captured images and files for transfer, from the field coordinators, to the state's mail-in system for ID Card production. Because of the estimated volume DOR will need to purchase two additional mail-in systems at a cost of \$23,300, plus \$2,500 for maintenance = \$25,800. This equipment and these employees will be utilized to manufacture, print and mail the licenses to the applicant.

DOR will need two (2) additional fax lines to accommodate any applicant document processing required. Total cost for fax machine is \$2,260, installation \$120, \$30 monthly charge x 4 months = \$120. Total is \$2,500.

ASSUMPTION (continued)

DOR used the Census for Missouri that showed 4,167,519 individuals 18 or older, then ran a program that indicates there are 3,998,304 individuals currently on the DOR system. Therefore, there are approximately 169,215 individuals who do not have a photographic personal identification.

138,063 Estimated number of individuals who do not currently have a photographic personal identification. (based on the census population of individuals 18 and older, compared to the driver license system = 169,215 AND minus 75% of the individuals previously shown that are residents under chapter 198 = $41,536 \times 75\% = 31,152$)

x 50% Estimated number of individuals who will apply for a nondriver license. (based on a four average voter turnout for Missouri)

69,032 Potential nondriver license applicants first year of implementation

In addition, because the language allows a person to apply for a nondriver license to simply sign an affidavit indicating they do not have a photographic personal identification, applicants who apply for a new, renewal or duplicate nondriver license may do so at no cost.

88,989 Total number of nondriver (new, renewal, duplicate) transactions issued in 2005

x 25% Estimated number of applicants that would utilize the affidavit indicating that they do not have any other form of photographic personal identification; therefore, would be eligible for a nondriver license at no fee

22,247 Estimated annual nondriver license applicants

INQUIRIES VIA PHONE E-MAIL AND WRITTEN

DIRECT PUBLIC INQUIRIES

This proposal requires the Secretary of State to give advance notice to individuals of the personal identification requirements; therefore, based on the effective date of this proposal and the scheduled November election, DOR anticipates that public inquiries will be at a maximum for July, August, September, October and November based on the estimated number of applicants previously stated. DOR will require the following Temporary Employees (TE) and associated

costs to handle these inquiries.

ASSUMPTION (continued)

Anticipating a 100% potential applicant inquiry DOR assumes that approximately 97,247 (6,225 + 69,032 + 22,247) inquiries through the central office will be received. DOR will need to install a T-1 telecommunication line at a cost of \$1,156, plus a monthly maintenance of \$630 x 4 mos = \$2,520. In addition, the department will provide an 800 number, dedicated to issuance of the voter nondriver license identification program at an installation cost of \$100. Based on other current 800 lines the average cost of a call is \$.25 per call. $97,247 \times \$.25 = \$24,312$ for FY07. DOR will need two additional fax lines to accommodate any applicant document processing required. Total cost for fax machine is \$2,260, installation \$120, \$30 monthly charge x 4 months = \$60. Total is \$2,500.

DOR assumes that approximately 50% of the 97,247 calls will occur in July, August and September and the other 50% will occur in October with some residuals in November. Therefore, based on current employee expectations of 100 calls per day x 22 days in a month, the department will phase-in employees to ensure a total number of temporary employees as indicated for each month as follows:

July	12,156 (25% of 48,714)	= 6 TE
August	18,234 (½ of remaining 75% of 48,714 = 36,468)	= 8 TE
September	18,234 (½ of the remaining 75% of 48,714 = 36,468)	= 8 TE
October	48,624 inquiries	= 22 TE
November	Residuals	= 11 TE

To process the inquiries DOR will hire 6 TE's in July, adding 2 TE's in August, and 14 TE's in October. The department anticipates keeping 11 TE's through November for any residuals calls after the November 7th election.

DOR will utilize the existing space and equipment currently used by temporary tax employees to implement this program. However, current tax employees do not have telephones; therefore, DOR will incur costs associated with purchasing 22 telephones for public inquiries.

CONTRACT OFFICE INQUIRIES

DOR anticipates that 25% of potential applicants visiting the contract offices will require the contract office to contact the central office. Therefore, there will be approximately 22,820 ($69,032 + 22,247 = 91,279 \times 25\% = 22,820$) inquiries from the contract offices to the central office.

RWB:LR:OD (12/02)

ASSUMPTION (continued)

DOR assumes that approximately 50% of the 22,820 calls will occur in July, August and September and the other 50% will occur in October with some residuals in November.

DOR will use the current contract office 1-800 line, adding a specific for the Voter Nondriver License Program and a T-1 telecommunication line to ensure these calls are not deflected or routed to inappropriate areas. Because this 800 line already exists there will not be the \$100 installation fee. The cost to install a T-1 line is \$1,156, plus a monthly maintenance of \$630 x 4 months = \$2,520. Based on other current 800 lines the average cost of a call is \$.25 per call. $22,820 \times \$.25 = \$5,705$ for FY07.

Based on current employee expectations of 100 calls per day x 22 days in a month, the department will phase-in employees to ensure a total number of temporary employees as indicated for each month as follows:

July	2,853 (25% of 11,410)	= 2 TE
August	4,265 ($\frac{1}{2}$ of remaining 75% of 11,410 = 8,558)	= 2 TE
September	4,265 ($\frac{1}{2}$ of the remaining 75% of 11,410 = 8,558)	= 2 TE
October	11,410 inquiries	= 6 TE
November	Residuals	= 3 TE

DOR will require hiring 2 TE's in July, adding 4 TE's in October, and anticipate keeping 3 TE's through November for any residual calls after the November 7th election.

DOR will utilize the existing space and equipment currently used by temporary tax employees to implement this program. However, current tax employees do not have telephones; therefore, the department will incur costs associated with purchasing 6 telephones for contract inquiries.

In anticipation of the high volume of applicants that will need last minute assistance before the November 7th election the department will require contract offices to be open Saturday November 4th and the same amount of hours as a polling site 6 a.m. - 7 p.m. on November 7th. This proposal requires "the total cost associated with nondriver's license photo identification under this proposal shall be borne by the state of Missouri from funds appropriated to the department of revenue for that specific purpose." Because of this requirement the department will incur costs to pay approximately 1500 employees for 11 hours of overtime at \$12 per hour for the additional hours worked on November 4th and 7th. $1500 \times 11 = 16,500 \times \$12 = \$198,000$ overtime.

ASSUMPTION (continued)

In addition, overtime costs for five central office staff will be required for November 4th and 7th to provide internal coverage for contract offices to be open 8 hours for applicants to apply for nondriver licenses and election staff will provide coverage from the time the polls open until the time the polls close. Cost for overtime of those staff will be \$1,620.

DOR will also require a one (1) Accountant to ensure appropriate revenue funds are utilized for reimbursement of processing fees and overtime costs to the contract office required by this proposal.

In order to ensure the temporary employees are properly trained the DOR will hire the staff and begin the training on June 1, 2006 and will expend existing funds from FY06 to pay these employees.

Because there is a General election in FY09, DOR assumes that this process or one similar will take place to ensure voters for that election have a nondriver license photo identification for presentation at the polls.

FORMS, ENVELOPES, POSTAGE & LICENSING MATERIAL

DOR will incur forms, envelopes and postage cost for printing the license and mailing the license to individuals who are not physically able to ambulate to a polling site. In addition, the department will incur costs for providing an affidavit to individuals applying for nondriver license (no cost).

Forms, Envelopes & Postage

FY07, FY08 & FY09

6,230
x \$.43 (\$.04 envelope & \$.39 postage, licensing material cost is shown in volume below)
\$ 2,679

Licensing Material

FY07

97,509 Estimated number of applicants that will apply for a nondriver license
x \$1.86 Licensing material

RWB:LR:OD (12/02)

\$181,367

ASSUMPTION (continued)

FY08 & FY09

28,477	Estimated number of annual applicants that will apply for a nondriver license
x \$1.86	Licensing material
\$ 52,967	

Forms

FY07

91,279	Estimated number of applicants that will require an affidavit
x \$.025	Affidavit
\$ 2,282	

FY08 & FY09

22,247	Estimated number of applicants that will require an affidavit
x \$.025	Affidavit
\$ 556	

Training Material & Information Pamphlets

\$50,000	Training materials for temporary employees and informational pamphlets for public distribution regarding this proposal
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REVENUE IMPACT

Because the language requires the nondriver license to be provided by DOR to an applicant who signs an affidavit stating that they do not have any other form of photographic personal identification at no cost and because this version includes language that exempts the payment of the fee pursuant to 136.055 will be reimbursed to the contract office as indicated in section 115.427.7, there will be a potential loss in revenue as indicated below.

FY07

6,230*	Annual applicants for nondriver license from a chapter 198 residents
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69,032*	Applicants that have never had a nondriver license the will only apply the first year of implementation
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RWB:LR:OD (12/02)

*These applicants, prior to this proposal, would not be required to obtain a nondriver license;
ASSUMPTION (continued)

therefore, there will be 'no loss in revenue'.

The 22,247 below are the number of applicants that applied for a new, renewal or duplicate in FY05; therefore there would be a loss in revenue as shown.

22,247	Annual applicants for new, renewal or duplicate
x \$6	Nondriver license fee
<u>\$133,482</u>	Total potential revenue decrease

97,509	Estimated number of applicants that will apply for a nondriver license (6,230 + 69,032 + 22,247)
x \$5.00	Contract office processing fee (majority of applicants apply for a 6-yr nondriver license)
<u>\$ 487,545</u>	Total potential contract office processing fee decrease

FY08 & FY09

6,230*	Annual applicants for nondriver license from a chapter 198 residents
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22,247	Annual applicants for new, renewal or duplicate
x \$6	Nondriver license fee
<u>\$133,482</u>	Total potential revenue decrease

28,477	Estimated number of annual applicants that will apply for a nondriver license (6,230 + 22,247)
x \$5.00	Contract office processing fee (majority of applicants apply for a 6-yr nondriver license)
<u>\$142,385</u>	Total potential contract office processing fee decrease

ASSUMPTION (continued)

In response to almost identical legislation, fiscal note 4947-18 as amended, the following agencies issued the following fiscal impact assessments:

Officials from the **Missouri Ethics Commission** state this proposal will have no fiscal impact on their agency.

Officials from the **Office of Attorney General (AGO)** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Additional staff and expenses are not being requested with this single proposal, but if multiple proposals pass during the legislative session which require policy form reviews, the AGO will need to request additional staff to handle the increase in workload.

In response to the perfected version of this proposal, officials from the **Department of Health and Senior Services (DOHSS)** state this proposal would not be expected to fiscal impact the operations of DOHSS. If a fiscal impact were to result, funds to support the program would be sought through the appropriations process

Officials from the **Office of the Secretary of State - Administrative Rules Division (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this proposal for Administrative Rules is less than \$1,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

Officials from the **Office of the Secretary of State (SOS)** assume that:

SECTION 115.427.6

Requires the Secretary of State to provide notice of the personal ID requirements. SOS assumptions necessary to accomplish this include:

A quarter page ad through the MO Press Association run twice before each federal

election - \$120,000 per run.

ASSUMPTION (continued)

Mailings to 4.5 million Missourians to notify them of the new identification requirements. - \$1,701,450

Production of radio and TV public service announcements - \$1,240

The bill requires that the Secretary of State print provisional ballots at an estimated cost of \$22,000.

Officials assume that section 115.427 requires advance notification via television, radio, cable television, and newsprint. Officials estimate costs of advertising at \$1,500,000.

SECTION 115.205

The SOS will have to register voter registration solicitors. Over one million voter registration cards were sent out and the number of participants/volunteers in voter registration drives is large so the number of solicitors would also be large. The cost to the office would be for half an FTE or equivalent dollars for temp agency costs to supply someone for data input - estimated at \$15,000.

SECTIONS 115.219 & 115.631

The SOS will be required by statute to investigate, report on, and possibly refer cases submitted as Help America Vote Act complaints. The state has included similar language in rules to be in compliance with HAVA. The SOS received only a single complaint in 2004 but making this a statutory and visible requirement of law should be expected to increase the number of such complaints. The additional cost is unknown because it is not possible to estimate how many complaints might be received. The estimated the cost of this requirement when the rule was published in 2003 was \$8,500 calculated by assuming 25 grievances per year times 20 hours time spent on each grievance at \$17 per hour for the hourly rate of the employee handling the grievance.

According to the SOS, additional training of poll workers is necessary both to ensure that voters are processed correctly but also to inform poll workers that failure to follow the new law could result in them being charged with a class one election offense which is a felony.

ASSUMPTION (continued)

The cost of the additional poll workers and the training required, requires additional public notification to voters to successfully implement the act for a single election is as follows:

<u>Requirement</u>	<u>Calculation methodology</u>	<u>Per election cost</u>
Additional poll workers	3,605 polling places times 2 additional poll workers times \$80/worker	\$576,800
Training - current poll workers	21,000 poll workers currently used time \$25/training	\$525,000
Training - for additional poll workers required	7,210 additional poll workers (3,605 polling places times 2 additional workers per polling place) times \$25/training	\$180,250
TOTAL		<u>\$1,282,050</u>

In response to the perfected version of this proposal, officials of the **Department of Corrections** stated that this proposed legislation modifies laws relating election administration. The penalty provision component of the bill resulting in potential fiscal impact for the DOC, is for up to a class-one election offenses which is deemed a felony.

Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost either through incarceration (FY05 average of \$39.13 per inmate, per day or an annual cost of \$14,282 per inmate) or through supervision provided by the Board of Probation and Parole (FY03 average of \$3.15 per offender, per day or an annual cost of \$1,150 per offender).

In summary, supervision by the DOC through probation or incarceration would result in additional unknown costs to the department. Eight (8) persons would have to be incarcerated per

fiscal year to exceed \$100,000 annually. Due to the narrow scope of this new crime, it is assumed the impact would be less than \$100,000 per year for the DOC.

ASSUMPTION (continued)

Officials of the **Office of Boone County Clerk** stated that there would be costs related to voter ID requirements. Those costs are as follows:

Notification costs-

\$ 21,000 (postage/printing)

Provisional Processing (3000 additional based on students w/o license).

\$10,275 for Nov General 06 Training

Section 115.159 - Requiring printing on MCVR:

Officials stated they have identified \$151,000 in equipment costs (will be ongoing cost with maintenance/replacement); also \$52,000 one time conversion costs and \$62,000 per year ongoing costs to go on the current MCVR System under current design that has not yet been appropriated. The update designs cannot go on the current system until those costs are appropriated or the design is changed to allow daily data transfers.

Officials of the **Kansas City Board of Election Commission** assume the impact of the proposed legislation would be difficult to calculate due to an increase in administrative complexity. The bill adds to the judges' responsibilities, as well it increases steps in procedures for processing provisional ballots, the number of which may greatly increase. The printing of additional provisional ballot, envelopes, etc. will be a cost item. It would be well in our jurisdiction to estimate perhaps \$1,000 for such an impact.

Otherwise, it may be prudent to add poll-workers. They must be added in bi-partisan teams. At \$80 x2=\$160x200 polls, there could be as much as \$32,000 added to the cost of an August or November election.

Officials from the Kansas City Board of Election Commission assume the photo ID requirement applies to all elections. Provisional ballots are only provided for in August and November elections currently. The expanded use of provisionals will increase the costs of school, municipal, and other special elections.

In response to previous versions of this proposal, the following local officials issued

the following fiscal impact statements:

Officials of the **St. Louis County Board of Election Commission** assume there would be significant cost savings to their election board. Officials estimate total cost saving for a 4 year period including use of DREs, would range from \$1,887,100 to \$2,830,600.

ASSUMPTION (continued)

Officials of the **Kansas City Board of Election Commission** stated they will be using partially, a "touch-screen system". Officials stated there would be no ballots in areas where they would be used. Officials assume this bill would not outlaw this system of voting. Officials stated this proposal could have a fiscal impact, however, it would be difficult to assess.

Officials stated this proposal bases the number of ballots on previous voter turn-out. Officials assume this could cause the need for fewer ballots.

Officials of the **Platte County Board of Election Commission** assume no fiscal impact.

Officials of the **Jasper County Clerk's Office** assume no fiscal impact.

Officials of the **Laclede County Clerk's Office** assume costs in FY 2006 & 2008 for additional judges, advertisement costs, and other communication costs. Officials estimate election year costs of \$16,000.

Officials of the **Jackson County Board of Election Commission** assume they would have the following fiscal impact:

OFFICE EQUIPMENT:

Ten (10) lines at \$140/each month, per line = \$1,400 X twelve (12) months:

\$16,800

Ten (10) wire drops for computers: \$ 2,500 *

Ten (10) computers with monitor and keyboard: \$ 14,500*

Cell phones for polls = 193 additional cell phones at \$13 each month =

\$2,509/month x twelve (12) months: \$ 30,108

PERSONNEL:

Training for ten (10) Election Clerks at \$25/each, per election = \$250/per election

x five (5) elections: \$ 1,250

Ten (10) Election Clerks at \$90/each, per election = \$900/per election x five (5) elections:
\$ 4,500

Two (2) extra Election Judge's, per poll location, plus cost of training; \$80/each
Election Judge, plus \$25/each for training. Two (2) Election Judge's X 300 polls = 600
Election Judge's. 600 Election Judge's at \$105/each, per election = \$63,000 x five (5)
elections: \$315,000

ASSUMPTION (continued)

Ten (10) extra persons for verification board to process Provisional Ballots:

Ten (10) Clerks x \$90.00/each, per election = \$900

\$25/each for training, per election = \$250

\$1,150/per day X five (5) days = \$5,750 X five (5) elections: \$ 28,750

Notification to all registered voters that they need to bring a photo I.D. card to the polls
for determination of eligibility = 225,000 voters X .24/each for postage: \$ 54,000

Processing of Notification Cards: \$ 2,000

* denotes a one time setup charge/fee.

Jackson County Election officials estimate election cost of \$470,308 of which \$17,000 is a one-time costs.

Officials of the **Texas County Clerk's Office** stated they would have total costs of \$14,690. Officials stated they would have costs from additional election day judges, additional training costs, supplies, postage, additional staffing, cell phones, legal publications, and security for provisional ballots until they are counted.

Officials of the **Phelps County Clerk's Office** stated they estimate additional costs of General Elections relating to this proposal, at \$28,969. Officials stated they would have additional mailings, additional judges, training, signs, and staff.

Officials of the **Cass County Clerk's Office** estimates annual election costs related to this proposal at \$42,660. Officials stated they would need additional election judges, training, postage, supplies, and advertising.

Officials of the **Buchanan County Clerk's Office** estimate additional election costs related to this proposal at \$28,350. Officials stated they would need postage, supplies, additional staff, and signs.

Officials of the **Greene County Clerk's Office** estimate additional election costs related to this proposal at \$42,585. Officials stated they would need additional staff, judges, postage, and voter identification cards.

Oversight based upon local election authorities responses will show statewide costs to local government (election authorities) as a negative Unknown, and Oversight expects costs to exceed \$100,000.

ASSUMPTION (continued)

This proposal would result in a loss in Total State Revenue.

<u>FISCAL IMPACT - State Government</u>	FY 2007	FY 2008	FY 2009
GENERAL REVENUE FUND			
<u>Loss</u> - Department of Revenue			
Decrease in nondriver license fees	<u>(\$133,482)</u>	<u>(\$133,482)</u>	<u>(\$133,482)</u>
<u>Cost</u> to Department of Revenue			
Personal Service (27 TE)	(\$443,508)	\$0	(\$162,935)
Fringe Benefits	\$0	\$0	\$0
Equipment	(\$781,012)	\$0	\$0
Expense	<u>(\$650,928)</u>	<u>(\$56,202)</u>	<u>(\$56,202)</u>
	<u>(\$1,875,448)</u>	<u>(\$56,202)</u>	<u>(\$219,137)</u>
<u>Total Cost</u> to Department of Revenue (Section 115.427)	(\$2,008,930)	(\$189,684)	(\$352,619)
<u>Cost</u> to Secretary of State			
Personal Service (.50 FTE Data Entry)	(\$15,000)	(\$15,000)	(\$15,000)
Expenses - Voter notification, printing costs, grievance resolution	<u>(\$3,490,190)</u>	<u>(\$3,592,644)</u>	<u>(\$3,954,064)</u>
<u>Total Cost</u> to Secretary of State	(\$3,505,190)	(\$3,607,644)	(\$3,969,064)

Cost to Department of Corrections

for incarceration/probation costs (Section 115.631)

(Less than
\$100,000)

(Less than
\$100,000)

(Less than
\$100,000)

**ESTIMATED NET EFFECT TO
STATE GENERAL REVENUE FUND**

**Less than
(\$5,614,120)**

**Less than
(\$3,897,328)**

**Less than
(\$4,394,683)**

FISCAL IMPACT - Local Government

FY 2007

FY 2008

FY 2009

**LOCAL GOVERNMENT ELECTION
AUTHORITIES**

Savings to Election Authorities

Ballot printing costs (Section 115.247)

Unknown
Greater Than
\$471,775

Unknown
Greater Than
\$471,775

Unknown
Greater Than
\$471,775

Cost to Election Authorities

for additional personnel, training,
equipment, supplies, programming etc.

(Unknown
Greater Than
\$2,254,887)

(Unknown
Greater Than
\$1,660,887)

(Unknown
Greater Than
\$1,660,887)

**ESTIMATED NET EFFECT TO
LOCAL GOVERNMENT**

**(Unknown
Greater Than
\$1,783,112)**

**(Unknown
Greater Than
\$1,189,112)**

**(Unknown
Greater Than
\$1,189,112)**

FISCAL IMPACT - Small Business

Local license contract offices would see a potential negative impact due to a decrease in processing fees.

DESCRIPTION

This proposed legislation make numerous changes to the election laws:

RWB:LR:OD (12/02)

SECTION 115.002

Identifies sections that are cited as the "Missouri Voter Protection Act".

SECTION 115.024

The supreme court shall by rule establish a panel in each district of each court of appeals of the state to consider petitions filed under this section. Each panel shall consist of three court of appeals judges from such district, and shall be known as the "Election Panel" of the district in which it is established.

DESCRIPTION (continued)

In the event that any disaster, as defined in this section, prohibits any election from occurring on the day the election is required to be held, the election authority of the city or county in which the election was to be held may petition the election panel of the district in which the city or county is located for the election panel to authorize a relocation of the polling places affected by such disaster, or to schedule a new date upon which the election authority may conduct the election.

SECTION 115.105

Establishes a challenge procedure for election violations at the polls.

SECTION 115.163

Under current law, election authorities shall arrange registration cards in binders or authorize the creation of computer lists to document voter registration. This proposal requires election authorities to use Missouri voter registration system to prepare a precinct register of legally registered voters for each precinct.

SECTION 115.203

Bars persons from compensating others for registering voters. Those who agree to or offer to submit a voter registration application for another person shall not knowingly destroy, deface, or conceal such an application and shall submit the application to the election authority within seven days of accepting the application. Those in violation of these provision are guilty of a class four election offense.

SECTION 115.205

RWB:LR:OD (12/02)

Persons paid for soliciting more than then voter registration applications, other than those paid by the government, must register with the Secretary of State as a voter registration solicitor. A solicitor must be eighteen years old, registered to vote in Missouri, and register for every election cycle. Penalties for the failure to register is a class three election offense.

SECTION 115.219

Allows anyone who believes a violation of the Help America Vote Act has occurred, is occurring, or is about to occur may file a complaint with the elections division of the secretary of state's office. Complaint requirements are established.

DESCRIPTION (continued)

SECTION 115.225, 115.237, 115.249, 115.439, 115.449, 115.453

Prohibits any ballot from allowing a person to cast a straight political party ticket in any partisan election.

SECTION 115.247

This bill requires each election authority to provide polling places with at least one and one-third times the number of ballots that were cast at the polling place during an election held two years prior to the current election.

For general elections, the authority must provide at least one and one-third times the number of ballots cast at the polling place during an election held four years prior to the current election. Currently, election authorities must provide polling places with 55 ballots for each 50 and fraction of 50 registered voters.

SECTION 115.427

Amends personal identification requirements to be shown to gain voter eligibility at polling places. The identification must be issued by the United States or the state of Missouri, include the individual's name and photograph, and must have not expired before the date of the most recent general election unless it is a non-expiring or non-expired Missouri nondriver's license or a non-expired Missouri driver's license. Identification also allowed is identification containing a photographic or digital image of the individual which is issued by the Missouri National Guard, the United State Armed Forces, or the United States Veterans' Administration.

Voters with physical or mental disabilities, handicaps, sincerely held religious beliefs, or were

born on or before January 1, 1941 who do not have sufficient identification are exempt from the requirement if they execute an affidavit stating such a sufficient reason. The ballot shall be counted if the identity can be verified by comparing the individual's signature to the signature on file with the election authority.

Any applicant who requests a nondriver's license with a photograph or digital image for the purpose of voting shall not be required to pay a fee if the applicant executes an affidavit averring that the applicant does not have any other form of photographic personal identification that meets the requirements of subsection 1 of this section. The state of Missouri shall pay the legally required fees for any such applicant.

DESCRIPTION (continued)

The Director of the Department of Revenue shall design an affidavit to be used for this purpose. However, any disabled or elderly person otherwise competent to vote shall be issued a nondriver's license photo identification through a mobile processing system operated by DOR upon request if the individual is physically unable to otherwise obtain a nondriver's license photo identification. DOR shall make nondriver's license photo identifications available through its mobile processing system only at facilities licensed under chapter 198, RSMo, and other public places accessible to and frequented by disabled and elderly persons. DOR shall provide advance notice of the times and places when the mobile processing system will be available. The total cost associated with nondriver's license photo identification under this subsection shall be borne by the state of Missouri from funds appropriated to the DOR for that specific purpose. DOR and a local election authority may enter into a contract that allows the local election authority to assist the department in issuing nondriver's license photo identifications.

The total costs associated with nondriver's license photo identification under this bill would be borne by the State of Missouri from funds appropriated to the Department of Revenue.

SECTION 115.430

For elections on or before November 1, 2008, individuals who appear without proper ID may cast a provisional ballot after executing an affidavit affirming his or her identity and presenting certain forms of identification including:

- Any state identification.
- Federal identification
- ID issued by an institution of higher education.
- A copy of a current utility bill, bank statement, government check, paycheck, or

other government document that contains the name and address of the voter.
A drivers license or state ID card from another state.

These ballots will be counted if the identity can be verified by comparing the individual's signature to the most recent signature on file with the election authority.

The proposal allows for issuing non-driver's licenses with photographic images to fulfill the identification requirement. The state of Missouri shall pay all the legally required fees for applicants for non-driver's licenses. Persons residing in convalescent, nursing, and boarding homes shall be issued a non-driver's license through a mobile processing system operated by the department of revenue at no cost.

DESCRIPTION (continued)

Procedures to be followed to establish a voter's eligibility to vote at a polling place are established. Provisional ballots are allowed in some circumstances. Prior to counting provisional ballots, the election authority must determine if the voter is registered and eligible to vote, and the vote was properly cast. Procedures for this determination are included in the act. Procedures for inspecting ballot cards are established.

No state court shall have jurisdiction to extend the polling hours established by law.

SECTION 115.445

Allows a child under the age of eighteen to accompany his or her parent, grandparent, or guardian into a voting booth.

SECTION 115.456

The election authority shall be responsible for ensuring that the standards outlined in this proposed legislation are followed when counting ballots cast using punch card voting systems, optical scan voting systems, and paper ballots.

SECTION 115.631

Makes the engaging in any act of violence, destruction of property having a value of five hundred dollars or more, or threatened act of violence with the intent of denying a person's lawful right to participate in the election process, and knowingly providing false information about election procedures for the purpose of preventing someone from going to the polls, a class one election

offense and a felony.

SECTION 115.637

Changes from twenty five to fifty feet of the polling place building's outdoor door to disallow exit polling, surveying, sampling, electioneering, distributing election literature, posting signs or placing vehicles bearing signs with respect to any candidate or question to be voted on at an election on election day.

DESCRIPTION (continued)

SECTION 115.126 and SECTION 115.223

This sections are repealed by this proposed legislation.

Section 115.126 pertained to an advance voting period.

Section 115.223 dealt with the appeal process when a voter's name has been removed from the registration records b an election authority.

Section 115.427 has an emergency clause

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Secretary of State
 Division of Elections
Office of State Courts Administrator
Department of Revenue
 Motor Vehicle Division
Office of Attorney General
Department of Health and Senior Services
Department of Corrections

RWB:LR:OD (12/02)

L.R. No. 4947-25

Bill No. Truly Agreed To and Finally Passed CCS #2 for HCS for SS #2 for SCS for SB 1014 & 730

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Department of Social Services
Boone County Clerk
Kansas City Board of Election Commission
Laclede County Clerk

SOURCES OF INFORMATION (continued)

Jackson County Board of Election Commission
St. Louis County Board of Election Commission
Platte County Board of Election Commission
Jasper County Clerk
Texas County Clerk
Phelps County Clerk
Cass County Clerk
Buchanan County Clerk
Greene County Clerk

L.R. No. 4947-25

Bill No. Truly Agreed To and Finally Passed CCS #2 for HCS for SS #2 for SCS for SB 1014 & 730

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A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive style with a large, prominent 'M' and 'W'.

Mickey Wilson, CPA

Director

May 12, 2006