



**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**

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

<b>Date:</b> June 15, 2021 8:00 AM	<b>Author:</b> HEWITT
<b>Dept./Agy.:</b> Secretary of State	
<b>Subject:</b> New Voting System Requirements	<b>Analyst:</b> Patrice Thomas

VOTERS/VOTING EN INCREASE GF EX See Note Page 1 of 2  
 Provides relative to voting systems. (8/1/21)

Proposed law replaces "electronic voting machines" with "voting systems" and authorizes the use of paper ballots after the purchase of a new voting system. Proposed law enacts new requirements for a voting system. Proposed law provides legislative oversight in the promulgation of rules and regulations on any matter related to voting systems and approval by the Attorney General before final rule promulgation as well as rules and regulations shall be based on the recommendations of the newly created Voting System Proposal Evaluation Committee. Proposed law requires the Secretary of State (SOS) to coordinate with the Office of State Procurement when issuing Requests for Proposals (RFP) to purchase new voting systems taking into consideration the recommendations of the newly created Voting System Commission. Proposed law requires the SOS to employ 3-5 independent experts to perform state certification of voting systems or system components and each vendor shall pay the experts for certification. Proposed law creates the Voting System Commission and the Voting System Proposal Evaluation Committee, which shall meet publicly. **CONTINUE ON PAGE 2**

<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 Commission within SOS, which shall be comprised of 13 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 Proposal Evaluation Committee within SOS, which shall be comprised of five members that will serve without compensation.

The proposed law requires the SOS as well as the Office of State Procurement (OSP) within the Division of Administration (DOA) to staff and provide resources to 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 by January 31, 2022, and annually thereafter. The SOS in conjunction with OSP shall develop the request for proposal (RFP) for a new voting system taking into consideration recommendations from the commission's report.

The Voting System 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 recommended to the SOS, who shall then make a recommendation and submit it to OSP for contract review.

The DOA reports 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.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Alan M. Boxberger*  
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 Staff Director



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**CONTINUED EXPLANATION from page one:**

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**DESCRIPTION CONTINUED FROM PAGE 1**

Proposed law requires the SOS to procure voting systems or system components after taking into the recommendations of the Voting System Commission and excludes recommendations from a procurement protest. Proposed law requires the Voting System Proposal Evaluation Committee to investigate, publicly test, and score each voting system from respondents to the RFP and recommend the highest score voting system to the SOS. Proposed law requires the SOS to evaluate voting equipment annually with the Voting Systems Commission.

Senate      Dual Referral Rules

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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