

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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REVISED

Bill Number: SB831S1

Patron: Srinivasan

Bill Title: Elections; challenges of qualified voters; duty of local electoral board to certify; civil penalty.

Bill Summary: Provides that the certification of the results of an election is a clear ministerial duty of the local electoral boards and that a member of the local electoral board who neglects or refuses to perform such duty in accordance with law shall be subject to removal proceedings by the State Board of Elections and assessed a civil penalty not exceeding \$1,000. The bill also authorizes the State Board of Elections to intervene and carry out the duties related to election certification in the event a local electoral board fails or refuses to do so. Additionally, the bill prohibits challenges to a voter's qualification to vote from any person who is not an officer of election.

Budget Amendment Necessary: Yes

Items Impacted: Item 77

Explanation: See Below

Fiscal Summary: There is an anticipated fiscal impact due to the provisions of the substitute. The substitute increases the scope of what the Department of Elections would be required to do. The fiscal impact of the \$1,000 civil penalty is still indeterminate.

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
The Department of Elections		\$513,220	\$243,729	\$243,729	\$243,729	\$243,729
TOTAL		\$513,220	\$243,729	\$243,729	\$243,729	\$243,729

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Fiscal Analysis: There is an anticipated fiscal impact due to the addition of § 24.2-703.1:1. The original indeterminate fiscal impact remains due to the \$1,000 civil penalty. The Department of Elections (ELECT) expects one-time IT costs of \$269,491 to meet the provisions of the bill. The IT costs are broken down into 1 developer, 1 data warehouse technician, 1 analyst and a tester all at 960 hours each at a rough estimate of \$70.18 per hour. ELECT's system will need to be updated to accommodate the bill. There will also be ongoing costs of \$229,905 for mailings and \$13,824 for maintenance. The substitute creates a new mailing that ELECT would have to send to new voters. ELECT expects to see 294,750 new voters in the coming fiscal year that will receive the mailing. The estimate is based on a 5-year average from ELECT.

There is also an indeterminate fiscal impact due to the uncertainty surrounding the number of civil penalties that may be assessed. Based on recent elections, the number of local electoral boards who meet the provisions outlined in the bill has been fewer than 5. The bill establishes that any member of a local electoral board who neglects or refuses to fulfill their duties in accordance with the law will be removed and subject to a civil penalty not exceeding \$1,000. This penalty will be directed to the Voter Education and Outreach Fund, as outlined in § 24.2-131. Additionally, the bill grants the State Board of Elections the authority to intervene and assume responsibility for election certification if a local electoral board fails or refuses to do so. Since the State Board already intervenes, when necessary, these provisions are considered routine and will not require additional funding. If there is an excessive number of interventions for an election cycle ELECT may require funding based on the locality and complexity of the election. ELECT assistance for employees could be from 8 to 80 hours to complete the task required. Based on the estimated hours and a fully loaded salary (\$46.58) for the area that would be responsible for the duties it's estimated that the agency could incur a cost from \$372.64 to \$3,726.40 to cover the requirement of the bill per locality.

Other: N/A