

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2023 HB	<b>Title:</b> Elections/language assist.
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of the Secretary of State	.0	73,000	73,000	73,000	.0	146,000	146,000	146,000	.0	146,000	146,000	146,000
Office of the Secretary of State	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	<b>0.0</b>	<b>73,000</b>	<b>73,000</b>	<b>73,000</b>	<b>0.0</b>	<b>146,000</b>	<b>146,000</b>	<b>146,000</b>	<b>0.0</b>	<b>146,000</b>	<b>146,000</b>	<b>146,000</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other			1,429,620			1,429,620			1,429,620
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			1,429,620			1,429,620			1,429,620

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

# Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Cheri Keller, OFM	<b>Phone:</b> (360) 584-2207	<b>Date Published:</b> Revised 1/10/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2023 HB	<b>Title:</b> Elections/language assist.	<b>Agency:</b> 085-Office of the Secretary of State
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State 001-1	0	73,000	73,000	146,000	146,000
<b>Total \$</b>	0	73,000	73,000	146,000	146,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*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: Jason Zolle	Phone: 360-786-7124	Date: 01/02/2024
Agency Preparation: Bonnie Luntzel	Phone: 360-570-5575	Date: 01/09/2024
Agency Approval: Mike Woods	Phone: (360) 704-5215	Date: 01/09/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/09/2024

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 1(1) subject to funds specifically appropriated for this purpose, impacted counties will require registration or voting notices, forms, instructions, assistance and other content related to the electoral process in the language of covered minority language groups as designated by the secretary of state.

Section 1(2) requires the secretary of state to determine which counties need language assistance during elections when more than 2.5 percent of voting-age citizens in certain language minority groups in the county do not speak or understand English adequately enough to participate in the electoral process and have not completed the fifth grade at a rate higher than the national average.

Section 1(6) subject to funds specifically appropriated for this purpose, the secretary of state shall establish a grant program to fund counties that would voluntarily like to provide electoral assistance in a language other than English.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Section 1(2) - Subject to appropriation

Based on our estimates, we believe the following three counties meet the definition of covered counties in Section 1(2): Chelan, Douglas and Grant Counties. The data to make this determination is based on the most current population estimates derived from the American community survey along with relevant decennial census data.

The Secretary of State provides the State Voters' Pamphlet to aid county auditors in improving meaningful access to elections information. Under the provisions of this bill, an additional three Voters' Pamphlet editions would likely be provided as bilingual pamphlets in English and Spanish. In this connection the secretary of state assumes that an average 112,500 voters' pamphlet will be mailed to the three counties. The estimated cost for the composition, printing and distribution, translation and community review of the translated material, for the voters' pamphlet will be \$72,500 per fiscal year.

Section 1(6) – Indeterminate, and subject to appropriation

This section establishes a grant program subject to appropriation to assist counties voluntarily opting to provide elections materials in a language other than English. OSOS has no way of estimating how many counties would opt-in. However, based on the counties subject to Section 1(2) we can assume that it would cost approximately \$73,000 per fiscal year for an additional three counties to opt-in.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	73,000	73,000	146,000	146,000
<b>Total \$</b>			0	73,000	73,000	146,000	146,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services		73,000	73,000	146,000	146,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	73,000	73,000	146,000	146,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*  
 NONE

**III. D - Expenditures By Program (optional)**  
 NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**  
 NONE

**IV. B - Expenditures by Object Or Purpose**  
 NONE

**IV. C - Capital Budget Breakout**  
*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*  
 NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*  
 NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 2023 HB

Title: Elections/language assist.

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities:
- Counties: Costs to prepare bilingual voting instructions and materials.
- Special Districts:
- Specific jurisdictions only: Chelan, Douglas and Grant counties
- 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: Increased costs for subsequent fiscal years, additional counties impacted by requirements based upon Census results in subsequent years

### Estimated revenue impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

### Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
County	714,810	714,810	1,429,620	1,429,620	1,429,620
<b>TOTAL \$</b>	714,810	714,810	1,429,620	1,429,620	1,429,620
<b>GRAND TOTAL \$</b>					<b>4,288,860</b>

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

## Part III: Preparation and Approval

Fiscal Note Analyst: Allan Johnson	Phone: 360-725-5033	Date: 01/10/2024
Leg. Committee Contact: Jason Zolle	Phone: 360-786-7124	Date: 01/02/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/10/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/10/2024

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

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

Counties must provide language assistance during elections when more than 2.5 percent of voting-age citizens in an Asian-American or Hispanic Language Minority Groups in the county do not speak or understand English adequately enough to participate in the electoral process and have not completed the fifth grade at a rate higher than the national average.

The type of assistance required is defined the same as in federal law.

Additionally, counties must provide language assistance for American Indians or Alaska Natives if the county contains all or part of an Indian reservation, when the American Indians or Alaska Natives meet the requirements listed above.

The Secretary of State (SOS) is responsible for determining which counties are subject to these language assistance provisions. The list of covered counties is determined using the American Community Survey and relevant decennial census data and is updated every five years.

Counties have one year to reach full compliance. A county's status as a covered jurisdiction remains in effect unless terminated by the SOS. County auditors may petition for the SOS to terminate the designation if the LMG no longer meets the criteria for assistance. The SOS must establish a grant program to provide funding to counties that are not covered jurisdictions but choose to voluntarily provide electoral assistance in a language other than English.

The requirements in this act are subject to the availability of amounts appropriated for this specific purpose.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

The potential costs for implementing this bill, including developing bilingual voter instructions and materials, is estimated to be \$714,810 for Fiscal Year 2024. These costs would be incurred by three counties based upon an analysis prepared by the Washington State Association of County Auditors (WSACA). These three counties are Chelan, Douglas and Grant. The costs for succeeding years will likely increase by an indeterminate amount, due to inflation, but are estimated at the Fiscal Year 2024 amount for the purposes of this analysis.

This analysis is based a determination by the Office of the Secretary of State of covered counties based upon current results from the United States Census. It is possible that the number of counties impacted by these provisions could increase or decrease in future years based upon changes in Census results. These changes cannot be predicted with certainty and are indeterminate.

This analysis does not include costs incurred by four counties already voluntarily providing bilingual election instructions and voting materials. It is assumed that these costs are likely similar in scope to estimates provided by the Washington State Association of County Auditors for counties impacted by this legislation, but these costs are not incorporated into the fiscal impacts of this legislation because the counties would not have to alter their current practices.

#### **DISCUSSION:**

In addition to four counties that voluntarily provide bilingual election instructions and voting materials, three additional counties would be impacted by this legislation. The cost for each county to comply with these requirements is estimated at \$238,270 per county based upon estimates prepared by the Washington State Association of County Auditors. The total cumulative cost to comply with this legislation is \$714,810 ( $\$238,270 \times 3 = \$714,810$ ).

The total cost consists of the following expenditure assumptions:

- \$90,000; one staff person responsible for providing all services in the new language(s), including translating ballots, all voting and outreach materials, providing customer service in-language, coordinating with community partners and working with community media.
- \$90,000; one staff person to provide customer service, fill-in when the primary translator is out, providing proofing support and providing overflow support during peak work periods.
- \$11,000; temporary staff during high volume (i.e. general) elections
- \$9,653; overtime translation on evenings and weekends during peak translation periods.
- \$12,066; agile and special duty needs.
- \$2,250; advertising for voter education and outreach.
- \$9,700; printing, binding and mailing foreign language election materials.
- \$6,000; translation services through third party vendors.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

The legislation requires an adequate appropriation by the Legislature in order for the provisions of this legislation to go into effect. There is no appropriation set at this time so the revenue impact to local governments is indeterminate and will depend upon the amount established by the Legislature through setting of the budget.

#### **SOURCES:**

Local Government Fiscal Note Program, FN HB 1861 (2023)  
Office of the Secretary of State  
Washington State Association of County Auditors