

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5209 SB	<b>Title:</b> Universal civic duty voting
-----------------------------	---

## 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	0	0	0	.0	114,400	114,400	114,400	.0	107,200	107,200	107,200
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.											
Department of Licensing	.0	0	0	229,000	.0	0	0	14,000	.0	0	0	14,000
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>229,000</b>	<b>0.0</b>	<b>114,400</b>	<b>114,400</b>	<b>128,400</b>	<b>0.0</b>	<b>107,200</b>	<b>107,200</b>	<b>121,200</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 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
Department of Licensing	.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> Final 1/23/2024
---------------------------------------	---------------------------------	---

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5209 SB	<b>Title:</b> Universal civic duty voting	<b>Agency:</b> 085-Office of the Secretary of State
-----------------------------	---	---

## 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	0	0	114,400	107,200
<b>Total \$</b>	0	0	0	114,400	107,200

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:	Phone:	Date: 01/19/2024
Agency Preparation: Bonnie Luntzel	Phone: 360-570-5575	Date: 01/23/2024
Agency Approval: Mike Woods	Phone: (360) 704-5215	Date: 01/23/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/23/2024

## 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.*

Sec. 2(5) of the bill creates a new form that needs to be translated, printed, mailed and distributed. Based on recent printing costs, we anticipate that it will cost \$50,000 to print 500,000 forms annually. The OSOS assumes that it has sufficient staff to create the form. Furthermore, the OSOS would employ existing vendors to perform translation and community review. Storage and fulfillment would be coordinated with the Department of Enterprise Services and those costs vary monthly with an estimated monthly cost of \$300 (\$3,600 per year).

Currently we are required under section 203 of the voting rights act (52 U.S.C. Sec. 10503) to provide voter registration materials in Spanish, Chinese, and Vietnamese in addition to English. We also publish the state voter registration form in 24 languages to match languages offered by any state agency that is designed as a voter registration assistance agency. Consequently, a voter registration form can be included with those agencies' materials in the language preferred by the individual. We assume this form would be also translated into the same languages. Translation estimates are \$300 per language.

Translation costs of \$7,200 (\$300 x 24) would be incurred in SFY26 only. Storage and fulfillment costs of \$7,200, and printing costs of \$50,000 would be annual and ongoing.

Section 10 requires the Secretary to work with community partners to ensure the widest possible dissemination of information on the implementation of universal civic duty voting, and report to the legislature the details of this plan and any funding required to implement it. OSOS assumes working with community partners on development of the plan would be consistent with, and part of, existing ongoing efforts to encourage voting, therefore no cost to develop a plan. However, any additional costs for implementing the plan are indeterminate because the plan is yet to be developed.

### 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.*

### 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.*

Sec. 2 (5) of the bill creates a new form that needs to be translated, printed, mailed and distributed. Based on recent printing costs, we anticipate that it will cost \$50,000 to print 500,000 forms annually. The OSOS assumes that it has sufficient staff to create the form. Furthermore, the OSOS would employ existing vendors to perform translation and community review. Storage and fulfillment would be coordinated with the Department of Enterprise Services and those costs vary monthly with an estimated monthly cost of \$300 (\$3,600 per year).

Currently we are required under section 203 of the voting rights act (52 U.S.C. Sec. 10503) to provide voter registration materials in Spanish, Chinese, and Vietnamese in addition to English. We also publish the state voter registration form in 24 languages to match languages offered by any state agency that is designed as a voter registration assistance agency. Consequently, a voter registration form can be included with those agencies' materials in the language preferred by the individual. We assume this form would be also translated into the same languages. Translation estimates are \$300 per language.

Translation costs of \$7,200 (\$300 x 24) would be incurred in SFY26 only. Storage and fulfillment costs of \$7,200, and printing costs of \$50,000 would be annual and ongoing.

Section 10 requires the Secretary to work with community partners to ensure the widest possible dissemination of information on the implementation of universal civic duty voting, and report to the legislature the details of this plan and any funding required to implement it. OSOS assumes working with community partners on development of the plan would be consistent with, and part of, existing ongoing efforts to encourage voting, therefore no cost to develop a plan. However, any additional costs for implementing the plan are indeterminate because the plan is yet to be developed.

**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	0	0	114,400	107,200
<b>Total \$</b>			0	0	0	114,400	107,200

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				114,400	107,200
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	0	0	114,400	107,200

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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5209 SB	<b>Title:</b> Universal civic duty voting	<b>Agency:</b> 240-Department of Licensing
-----------------------------	---	--

## 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>					
Highway Safety Account-State 106 -1	0	229,000	229,000	14,000	14,000
<b>Total \$</b>	0	229,000	229,000	14,000	14,000

### 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:	Phone:	Date: 01/19/2024
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 01/22/2024
Agency Approval: Collin Ashley	Phone: (564) 669-9190	Date: 01/22/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/23/2024

## 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 2 adds a new section to Chapter 29A.08 RCW to mandate that any person eligible to vote under Article VI, section 1 of the state Constitution must register to vote unless they obtain a waiver from the obligation to vote. The Secretary of State (SOS) must create the form to allow persons to waive their obligation to register to vote.

Section 4 amends RCW 29A.08.320 to add that an applicant applying for services and assistance at agencies designated under RCW 29A.08.310 shall be given the form for waiver from the obligation to register to vote if they indicate they would like to decline to register.

Section 5 amends RCW 29A.08.330 to add that an applicant shall be provided a waiver from the obligation to register to vote if they answer negative to either question posed by a service agent when discussing registration.

Each agency shall transmit applications and waivers to the SoS or appropriate county auditor within three business days.

Section 6 amends RCW 29A.08.355 to add that if a person declines to register to vote, DOL will offer a form for waiver from the obligation to register to vote.

Section 7 amends RCW 46.20.155 to add that any individual being issued or renewing a license or identicard who answers negative to questions around registering to vote, the individual shall be offered a form for waiver from the obligation to register to vote.

Section 8 adds a new section to Chapter 29A.84 RCW to stipulate that a person who intentionally disenfranchises another voter by completing a form for the waiver of the obligation to register to vote in the other voter's name is guilty of a misdemeanor punishable under RCW 9A.20.021.

Section 12 establishes an effective for sections 1 through 9 of July 1, 2026.

### 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.*

### 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.*

Please see attached fiscal note.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
106-1	Highway Safety Account	State	0	229,000	229,000	14,000	14,000
<b>Total \$</b>			0	229,000	229,000	14,000	14,000



**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		229,000	229,000	14,000	14,000
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	229,000	229,000	14,000	14,000

**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.*

# Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: SB 5209

Bill Title: Universal civic duty voting

**Part 1: Estimates**

**No Fiscal Impact**

**Estimated Cash Receipts:**

NONE

**Estimated Expenditures:**

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Highway Safety	106	-	229,000	229,000	14,000	14,000
<b>Account Totals</b>		-	<b>229,000</b>	<b>229,000</b>	<b>14,000</b>	<b>14,000</b>

*The revenue 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 the fiscal impact is **less than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- 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.
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Steven Puvogel	Phone: (360) 701-6459	Date: 1/19/2024
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 1/22/2024
Agency Approval: Collin Ashley	Phone: (360) 634-5384	Date: 1/22/2024

Request #	1
Bill #	5209 SB

## **Part 2 – Explanation**

This bill establishes universal civic duty voting. The Department of Licensing (DOL) must offer a waiver form, developed by the Secretary of State (SOS), to persons who decline to register to vote at the time of registration, renewal, or change of address of an enhanced driver's license or identicaid (EDL/EID).

### **2.A – Brief Description Of What The Measure Does That Has Fiscal Impact**

Section 2 adds a new section to Chapter 29A.08 RCW to mandate that any person eligible to vote under Article VI, section 1 of the state Constitution must register to vote unless they obtain a waiver from the obligation to vote. The Secretary of State (SOS) must create the form to allow persons to waive their obligation to register to vote.

Section 4 amends RCW 29A.08.320 to add that an applicant applying for services and assistance at agencies designated under RCW 29A.08.310 shall be given the form for waiver from the obligation to register to vote if they indicate they would like to decline to register.

Section 5 amends RCW 29A.08.330 to add that an applicant shall be provided a waiver from the obligation to register to vote if they answer negative to either question posed by a service agent when discussing registration.

- Each agency shall transmit applications and waivers to the SoS or appropriate county auditor within three business days.

Section 6 amends RCW 29A.08.355 to add that if a person declines to register to vote, DOL will offer a form for waiver from the obligation to register to vote.

Section 7 amends RCW 46.20.155 to add that any individual being issued or renewing a license or identicaid who answers negative to questions around registering to vote, the individual shall be offered a form for waiver from the obligation to register to vote.

Section 8 adds a new section to Chapter 29A.84 RCW to stipulate that a person who intentionally disenfranchises another voter by completing a form for the waiver of the obligation to register to vote in the other voter's name is guilty of a misdemeanor punishable under RCW 9A.20.021.

Section 12 establishes an effective for sections 1 through 9 of July 1, 2026.

### **2.B - Cash receipts Impact**

There are no cash receipts impacts associated with this bill.

### **2.C – Expenditures**

Under current law the department routinely interacts with the public regarding voter registration options. The provisions of the bill will increase time at licensing office counters and may prompt an increase in calls to the customer service center. DOL does not expect the increased workload to be significant and will get managed with existing staffing resource capacity.

### **Information Services:**

The agency will use appropriated funds to hire contract programmers to accomplish this work or to support current staff implementing this legislation within the required timeline. Appropriated funds may also be used to hire agency temporary staff to support permanent staff assigned to this legislative effort.

Any change requires a process to ensure changes are correctly applied to the system. This involves Project Managers that manage the team that completes the update, business analyst that documents and reviews the system changes, architect services that analyzes how the update could have an effect on other systems or DOL processes, developers who create the change, and testers and quality assurance teams that ensure the update is working correctly.

What DOL will implement:

1. Modify issuance to provide a waiver form that must be completed if the customer chooses to not register to vote, or answer the voter questions in the negative:
  - a. In office issuance (third screen - use signature pad)
    - i. New question on statutory question section
    - ii. Push new form to third screen.
  - b. Online issuance
2. New/modify interface with SOS to send completed waiver forms within three days of completion.
3. New letter and logic to generate the letter.
4. Modify paper renewal notice.

Ongoing Maintenance: Monthly ongoing maintenance for new interface, costs begin the month following implementation.

Security Assessment: Perform a full security assessment and analysis for new driver monitoring requirements.

Note: DOL provided a fiscal note for SB 5209 in the 2023 Legislative session. The cost estimate for the bill in the 2024 session has been reduced due to changes in OCIO oversight requirements.

Cost Category	Description	Rate	2024	2025	2026	2027	2028	2029	Total Cost
TESTER	Test to verify individual components meet requirements; ensure that other business transactions have not been impacted.	\$ 27,144	-	62,400	-	-	-	-	62,400
BUSINESS ANALYST	Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.	\$ 19,836	-	13,900	-	-	-	-	13,900
PROJECT MANAGER	Manage schedule and contracts	\$ 34,452	-	17,200	-	-	-	-	17,200
SECURITY AND ARCHITECT SERVICES	Create the conceptual model that defines the structure, behavior and framework of a computerized system including a breakdown of the system into components, the component interactions and interfaces (including with the environment, especially the user), and the technologies and resources to be used in the design.	\$ 19,836	-	7,900	-	-	-	-	7,900
SERVER & NETWORK SUPPORT	Services such as network infrastructure, cloud infrastructure, firewall and load balancing. Installations, maintenance, troubleshooting of server systems, and management of Windows-based systems to ensure reliability for clients.	\$ 19,836	-	-	2,000	2,000	2,000	2,000	8,000
DEVELOPERS	Modify programming and coding to all major systems	\$ 22,968	-	20,700	4,600	4,600	4,600	4,600	39,100
CONTRACTED FAST DEVELOPER / TESTER	Updates to the DRIVES system will require additional vendor hours outside of the contracted maintenance to make system updates to implement this bill.	\$ 37,236	-	67,000	-	-	-	-	67,000
Trainer	Trains business partners and employees in new system processes and capabilities.	\$ 27,144	-	19,000	-	-	-	-	19,000
Project Contingency	Office of the Chief Information Officer designated rate of 10%	\$ 29,824	-	20,800	700	700	700	700	23,600
<b>Totals</b>			-	<b>228,900</b>	<b>7,300</b>	<b>7,300</b>	<b>7,300</b>	<b>7,300</b>	<b>258,100</b>

### Part 3 – Expenditure Detail

#### 3.A – Operating Budget Expenditures

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Highway Safety	106	-	229,000	229,000	14,000	14,000
<b>Account Totals</b>		-	<b>229,000</b>	<b>229,000</b>	<b>14,000</b>	<b>14,000</b>

#### 3.B – Expenditures by Object or Purpose

Object of Expenditure	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
FTE Staff Years	0.0	0.0	0.0	0.0	0.0
Goods and Services	-	229,000	229,000	14,000	14,000
<b>Total By Object Type</b>	-	<b>229,000</b>	<b>229,000</b>	<b>14,000</b>	<b>14,000</b>

#### 3.C – FTE Detail

None.

**Part 4 – Capital Budget Impact**

None.

**Part 5 – New Rule Making Required**

None.

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 5209 SB

Title: Universal civic duty voting

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

### Legislation Impacts:

- Cities: Could incur substantially increased election expenditures (greater than \$7,000,000) due to requiring all eligible voters to submit a waiver, register to vote, and to submit a ballot.
- Counties: Could incur substantially increased expenditures (greater than \$25,000,000) due to increased voter registration costs, election costs, facilities' costs and one-time costs for mailing a notice to all eligible voters.
- Special Districts: Could incur substantially increased election expenditures (greater than \$23,000,000) due to increased voter participation that would result from the legislation.
- Specific jurisdictions only:
- Variance occurs due to: The year an election is held and its corresponding costs; the number of jurisdictions participating in each election; the length of voter pamphlets and ballots, and their associated printing costs; the number of registered voters that will be mailed voting materials; the number of ballots that registered voters will submit the size of each election office and their ability or inability to process and store additional voter registrations waivers and ballots.

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs: Counties could spend slightly less than \$6,000,000 to mail a notice one time to all eligible voters.
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: Actual costs of future elections; the number of people that will register to vote; the number of people that will submit an obligation to vote waiver; the number of jurisdictions that will require additional capital facilities; costs to lease capital facilities; the number of people who will qualify as eligible to vote at the time that notices are mailed.

### Estimated revenue impacts to:

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

### Estimated expenditure impacts to:

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

## Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 01/23/2024
Leg. Committee Contact:	Phone:	Date: 01/19/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/23/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/23/2024

## **Part IV: Analysis**

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

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

Sec. 2 adds a new section to chapter 29A.08.

Sec. 2 (1): declares that every person who is eligible to vote would be required to register to vote unless they obtain a waiver from the obligation to register to vote.

Sec. 2 (2): a waiver from the obligation to vote is permanent unless withdrawn by the person who has obtained the waiver.

Sec. 2 (6): a request for a waiver that would waive a person's obligation to vote must be submitted to the secretary of state or to a county elections office and is effective upon submission.

Sec. 3 amends RCW 29A.40.010 to add a new requirement. Each registered voter would be required by law to submit a ballot for each primary and general election – even if it's blank. The bill does not say how this would be enforced or what the punishment would be if a registered voter did not submit their ballot.

Sec. 4 amends RCW 29A.08.320.

Sec. 4 (1): A person may register to vote when they apply for a service or assistance, and with each renewal, recertification or change of address at agencies designated by the Governor and the Secretary of State.

Sec. 4 (2): The person applying for a service or assistance shall be asked if they wish to register to vote (or transfer their registration) when they apply for the service, or renew, recertify or change their address at any agency. If they do not wish to register to vote, they shall be given a form to waive their obligation to register to vote.

Sec. 5 amends RCW 29A.08.330.

Sec. 5 (3) (b): A form for the waiver from the obligation to vote shall be provided to the person seeking services or assistance at an agency if the person answers no to either of these questions:

-- "Are you a United States citizen?"

-- "Are you at least 16 years old?"

Sec. 5 (5): Each designated agency shall transmit the applications and waivers to the Secretary of State or appropriate county auditors.

Sec. 8 adds a new section to chapter 29A.84 to create a new misdemeanor. A person who intentionally completes a form to waive a person's obligation to register to vote in another voter's name is guilty of a misdemeanor punishable under RCW 9A.20.021.

Sec. 9 amends and reenacts RCW 29A.36.161 and 2013 c 283 s 3 and 2013 c 11 s 44.

Sec. 9 (1) (c): adds ballot printing requirements. On the top of each ballot must be printed: "You may leave any portion or the entirety of this ballot blank. However, you are required by law to submit this ballot to your local county elections office by Election Day."

Sec. 11 adds a new section to chapter 29A.04 that creates new printing and mailing requirements. County election officials would be required to coordinate with the Secretary of State to produce, print and mail information to each household. The information must:

(a) explain the changes to voter registration and election requirements



- (b) inform them that each registered voter will be required to cast a ballot or provide a valid reason for not casting a ballot
- (c) explain the process for any eligible voter to submit a waiver from the obligation to register to vote.

Sec. 12 adds a new section to declare that sections one through nine of this act take effect July 1, 2026.

## **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 legislation could result in substantial indeterminate expenditures for cities, counties and special purpose districts due to the legislation's requirement that all eligible voters register to vote and submit a ballot. Consequently, voter registration costs would increase due to registering significantly more voters; election costs would increase due to a significant increase in voter participation in each election; and facility costs could increase for election offices that require additional facilities to process and store the increased volume of registrations, obligation to vote waivers, and returned ballots. Washington State Association of County Auditors (WSACA) used 2019 data to estimate potential costs including an additional \$2,508,854 per year for voter registration services and records management; \$36,441,240 in additional election costs for increased staffing, printing and postage costs; an estimated \$12,000,000 in capital facilities costs per year for jurisdictions that require facility upgrades to handle the increased volume of registrations, waivers and returned ballots; and approximately \$5,642,840 to mail a notice to all people who are eligible to vote. Although exact election costs cannot be predicted in advance, WSACA estimates the legislation could result in additional expenditures totaling approximately \$56,592,934.

### **VOTER REGISTRATION COSTS:**

The legislation's requirement for all eligible voters to be registered to vote could result in additional expenditures totaling \$2,508,854 due to new staff that would be required to register more people to vote, which would lead to additional voter registrations to maintain.

According to WSACA's 2021 data, 6,067,570 people were eligible to vote in 2021; however, only 4,813,143 of those people were registered to vote. WSACA estimates the cost per registered voter for voter registration services was \$2.00 per voter. Based on this estimate, WSACA calculated the potential cost of registering all eligible voters that were not already registered to vote.

-- Estimated costs of registering all eligible voters: \$12,135,140 (6,067,570 eligible voters x \$2.00 per voter registration).  
-- Actual costs of registering voters per 2021 requirements: \$9,626,286 (4,813,143 actual registered voters x \$2.00 per voter registration).

Then, the cost to provide statewide voter registration services could increase by \$2,508,854 per year (\$12,135,140 - \$4,813,143) if all eligible voters registered to vote, as required by the legislation. These costs are assumed to apply each year as future voters become eligible to register to vote and as new eligible voters move to Washington.

Note that eligible voters would have the option to submit a waiver from the obligation to vote. However, the number of people that will choose to submit this waiver cannot be determined in advance, so the potential impact waivers would have on reducing potential voter registration costs cannot be determined at this time.

### **ELECTION COSTS**

Cities, counties and special purpose districts participating in elections could incur substantial increased expenditures due to increasing the number of registered voters that would participate in each election, which would increase the staff and materials required for each election. Although election costs vary and cannot be predicted in advance, Washington State Association of County Auditors (WSACA) provided cost estimates for an off-year election to demonstrate the potential impacts of the legislation. According to WSACA's estimates, the legislation's elections could cost cities, counties and special purpose districts an additional \$36,441,240 in off-year elections, which does not include federal elections. Cost impacts could be less during presidential election years due to a greater number of jurisdictions participating in the election. Although exact election costs cannot be determined in advance, WSACA's estimates are used to demonstrate the approximate impact the legislation could have on election costs in off-year elections.

To estimate election cost impacts, WSACA compared 2019's actual election costs to costs that would have resulted if every eligible voter participated in the election. WSACA estimated 6,067,570 people were eligible to vote in 2019. Of those, 4,503,871 were registered to vote, and 2,035,041 voters participated in the election. The 2019 total cost of the general election was \$14,962,001.

#### 2019 Actual Election Costs per Voter:

- Costs to print and mail voter pamphlets and ballots totaled \$5,629,839, or \$1.25 per voter.
- Costs to pay for ballots' return postage and staff time to process/count/follow up on ballots totaled \$9,332,163, or \$4.59 per voter.
- Total cost of the 2019 election: \$14,962,001

#### 2019 Estimated Election Costs (if all eligible voters participated):

- Costs to print and mail voter pamphlets and ballots would have totaled \$7,584,462 if all eligible voters participated (\$1.25 per voter x 6,067,570 eligible voters)
- Costs to pay for return postage and staff time to process/follow up on ballots if all eligible voters participated: \$27,850,146 (\$4.59 per voter x 6,067,570 voters)
- Total estimated cost of the 2019 election if all eligible voters participated: \$35,434,608

#### Annual Estimated Election Costs:

To calculate the annual impact of each election's increased costs, WSACA estimated the number of statewide equivalent elections conducted each year, which is 2.33 elections per year. The estimated total annual cost of elections if all eligible voters participated could then be \$82,562,637.

Annual universal voting election costs could increase by \$47,701,174 per year in off-year elections. (\$82,562,637 estimated annual election cost if all eligible voters participated – \$34,861,463 actual annual election cost). However, if the state paid the same percentage of the estimated election costs that they paid in the actual 2019 elections, then the state would be responsible for \$11,259,934 of the \$47,701,174 election costs. Therefore city, county and special purpose districts could incur \$36,441,240 in additional annual election costs in off-year elections as a result of the legislation.

#### VARYING ELECTION COSTS:

Note that election costs vary significantly based on the number of jurisdictions participating in the election. Generally, the more jurisdictions participating in an election, the lower the costs will be for each jurisdiction's proportionate share of the election costs. November general elections that include federal government have the most participating jurisdictions so the cost to individual jurisdictions is lower. On the other hand, conducting a one-issue election on a special election date usually leads to much higher costs. Because county auditor election departments conduct elections on behalf of special taxing districts, cities, counties, state government, and federal government, election costs vary from year to year depending on how many other jurisdictions share the election date. Consequently, election costs will vary and are ultimately indeterminate. WSACA's cost estimates are offered as approximate cost increases that could result if the legislation is implemented, but actual costs will vary depending on the election year and number of participating jurisdictions.

#### FACILITIES' COSTS:

Election offices would likely require facility upgrades to handle the increased volume of voter registrations, obligation to vote waivers, and returned ballots that could result from requiring all eligible voters to be registered to vote or submit a waiver, and to submit a ballot. Snohomish County's presidential election year experiences required Snohomish counties to lease additional space. It cost Snohomish County an average of \$2 per voter that participated in the election to lease the additional space. Snohomish County used this average per voter cost to approximate the potential facilities and overhead

costs jurisdictions could incur statewide, approximately: \$12,000,000 (\$2 per voter x 6,067,570 eligible voters in 2019 = \$12,135,140).

#### ONE-TIME NOTICE MAILING:

The legislation would require county election offices to mail a notice to all eligible voters, which could cost approximately \$5,642,840. Based on the Office of the Secretary of State's fiscal note for PSB 5636 (2022)'s, the total costs to print and mail a notice would be \$0.93 (when postage is updated to the current rate). OSOS's fiscal note states they used historical costs for similar types of mailings to estimate printing costs.

#### Itemized Print and Initial Postage Costs:

\$0.08 to print the notice

\$0.11 to print outbound envelope

\$0.11 to print the prepaid return envelope

\$0.63 for postage (effective January 22, 2023)

Total: \$0.93 per notice sent.

In 2021, WSACA estimated there were 6,067,570 people who were eligible to vote. The total cost to mail a notice to all eligible voters could approximately be \$5,642,840. However, the actual number of people that will be eligible to vote when this legislation takes effect cannot be predicted in advance. Therefore, printing and mailing costs are indeterminate.

#### OBLIGATION TO VOTE WAIVERS:

Counties would be required to post obligation to vote waivers on their websites, but that is a de minimis cost impact. Additionally, counties would be required to detain waivers. If counties required additional facilities to store the waivers, those cost impacts would be covered in the "Facilities' Costs" described above.

### 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 could result in increased revenue for county election offices, but that additional revenue would directly reflect the new expenditures counties incurred as a result of the increased election costs. Using Washington State Association of County Auditor's (WSACA's) election cost estimates for cities and special purpose districts, counties could receive an additional \$31,323,088 from cities (\$7,502,210) and special purpose districts (\$23,819,878) reimbursing the county for their proportionate share of the additional election costs. Nonetheless, the exact election costs and corresponding revenue received from local jurisdictions reimbursing the county cannot be determined in advance, so revenue impacts are indeterminate.

#### ELECTION REVENUE BACKGROUND INFORMATION:

County auditor election departments conduct elections on behalf of special taxing districts, cities, counties, state government, and federal government. Each county bills its local jurisdictions for a prorated share of the cost of each election, then local jurisdictions reimburse counties by paying their proportionate share of the election costs. Election cost reimbursements are received by county election offices as revenue. Therefore, county revenue received from participating jurisdictions for their proportionate share of election costs would directly reflect the county's increased expenditures spent on additional election costs. Counties do not and would not make a profit from running elections.

#### SOURCES:

Local Government Fiscal Note SB 5209 (2023)

Office of the Secretary of State

Office of the Secretary of State Fiscal Note for PSB 5636 (2022)

Snohomish County Auditor's Office

Washington State Association of County Auditors