

# FISCAL NOTE

Requested by Legislative Council

03/25/2003

Amendment to: SB 2409

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$5,000,000	\$0	\$4,150,000	\$0	\$0
Expenditures	\$0	\$14,000	\$0	\$2,000,000	\$0	\$5,000,000
Appropriations	\$0	\$0	\$0	\$9,500,000	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

The amendments do not change the content of this fiscal note from that when it was originally submitted except it was since learned that the state is eligible to receive an additional \$4,150,000 during the biennium, which is being reflected in SB 2002. The revenue block also reflects the new time line for receipt of the funds, which was not known when the initial fiscal note was prepared.

The purpose of this bill is to put into place the laws needed to administer the provisions of the Help America Vote Act of 2002 (HAVA), which was passed by the Congress and signed into law by the President of the United States in October of 2002. The monies will be received and deposited in a dedicated HAVA election fund being established in the agency's appropriation bill, SB 2002. The funds will be used to replace punch card voting equipment; improve the administration of elections; educate voters about voting procedures, rights, and technology; training election officials and poll workers; develop a state plan; enhance voting systems and voter accessibility; etc.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The \$5,000,000 was appropriated by Congress and the bill signed by the President on February 20, 2003. It is expected that these funds will be received in May 2003. The additional funds are expected late in 2003 or early 2004. The line item authorization to receive and accept these funds is being established in SB 2002, which is the agency's appropriation bill. This section of SB 2002 has an emergency clause that will allow for the use of these federal funds before the end of the 2001-2003 biennium as well as continuing on into the 2003-2005 biennium. In addition, Congress has identified these funds as "no year money." This means that these specific federal funds do not have to be expended by a specific time or by the end of any federal fiscal year.

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The implementation timeline of HAVA is such that most of the expenditures will be made during the 2003-2005 biennium and the 2005-2007 biennium for the purposes listed in the narrative. At this time, it is too early to determine if there will be a financial impact to the counties.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The funds to be appropriated for the purpose of this bill are in SB 2002, which is the agency's appropriation bill. Therefore, there is no specific appropriation request connected with this bill.

**Name:** Al Jaeger  
**Phone Number:** 328-2900

**Agency:** Secretary of State  
**Date Prepared:** 03/25/2003