



**HF 516** – Election Integrity, Secretary of State (LSB1365HV)  
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 Fiscal Note Version – New  
 Requested by Representatives Ken Rizer and Mary Mascher

**Description**

**House File 516** relates to conduct and administration of elections, including voter registration, absentee voting, voter identity verification, signature verification, polling place prohibitions, commission duties and certifications, voter misconduct information and reporting, straight party voting, and post-election audits, creating an Electronic Poll Book and Polling Place Technology Revolving Loan Fund, providing penalties, and including effective date and applicability provisions.

**Background**

- There are approximately 2.0 million active, registered voters in Iowa. During the 2016 general election, approximately 1.6 million (79.0%) voted. During the 2014 general election, approximately 1.1 million (53.3%) voted. The table below provides additional voting information.

**Secretary of State’s Office General Election Turnout Report**

General Election	Election Day Voters	Absentee Voters	Total Voters	Active/Registered Voters	% Active Voter Turnout	Inactive/Registered Voters	% Total Voter Turnout
2012	901,894	688,057	1,589,951	1,960,086	81.1%	209,693	73.3%
2014	673,126	469,185	1,142,311	1,937,709	59.0%	204,863	53.3%
2016	934,219	647,152	1,581,371	2,000,567	79.0%	172,418	72.8%

\* Active voters and inactive voters for 2012 is as of 11/6/2012; 2014 is as of 11/6/2014; and 2016 is as of 11/8/2016.

- Registered voters can be either active or inactive. An inactive voter is a registered voter that has not voted in two subsequent elections, and the county auditor has documentation that the voter no longer lives at the registration address.
- There are 1,681 voting precincts in Iowa.
- According to the National Conference for State Legislatures (NCSL), in 2016 there were 33 states that required some form of documentary evidence of voter identification at the polls.
- According to the Department of Transportation (DOT), there are 2,002,176 valid driver’s licenses and 178,480 nonoperator State IDs currently issued to Iowans age 18 and over.

Brief explanations of the Bill divisions with potential fiscal impact are outlined below, followed by relative assumptions and fiscal impact for the Division. The fiscal impact of the Bill is summarized in a table at the end of this Fiscal Note.

**Division I – General Provisions**

Under the Bill, a voter identification number, driver’s license number, or nonoperator’s identification number is considered to be the voter verification number and is required to be kept confidential. The Bill also creates a simple misdemeanor for the violations related to voter registration under Iowa Code chapter **48A**, for which another penalty is not provided. According to the Criminal and Juvenile Justice Planning Division (CJJP), from FY 2012 to FY 2016 there were no convictions for Iowa Code chapter 48A crimes. It is unknown how many additional convictions may occur from the provisions of this Bill.

## **Assumptions**

- Counties will continue to mail voter registration acknowledgment cards to voters who change their names, addresses, party affiliations, etc. pursuant to the requirement of the [National Voter Registration Act of 1993](#).
- Some counties currently mail voter registration acknowledgment cards in a postcard format, whereas some counties use a fold-over mailer and others use an envelope. The requirement to keep the voter identification number confidential will change the way some counties mail the cards to the voters, which will increase postage costs in those counties.

## **Fiscal Impact – Division I**

Some counties will experience increased postage and mailing costs due to the requirement that the voter verification number be kept confidential; however, those costs cannot be determined at this time and the number of counties impacted is unknown.

## **Division II – Voter Identity and Signature Verification and Division VII – Public Education**

The Bill requires election officials to verify a voter's identity before furnishing a ballot or absentee ballot to the voter. A voter is required to present the official with an Iowa driver's license, an Iowa nonoperator's identification card, a U.S. passport, a U.S. military or veteran's identification card, or a current voter registration card. The Secretary of State's (SOS) Office is required to provide a voter registration card to an eligible voter that does not have one of the five forms of identification. Division II of the Bill takes effect upon the appropriation of moneys by the General Assembly to implement the section requiring voter registration cards, and requires the SOS Office to develop Administrative Rules to implement that section. Division II applies to elections held on or after the effective date of the Division.

## **Assumptions**

- The DOT estimates approximately 40 hours of information technology (IT) programming will be required to provide driver's license and nonoperator ID information to the SOS Office. The programming time would be handled within existing resources and the cost is anticipated to be minimal.
- Subsequent mailing of voter registration cards would be completed by the counties in the same way that the counties currently produce and mail voter registration acknowledgment cards.

## **Fiscal Impact – Division II**

- The SOS Office estimates approximately \$65,120 in one-time costs to provide programming updates to IVoters, the statewide voter registration system. (592 hours x \$110/hr.)
- The cost to the SOS Office to produce and distribute voter registration cards is estimated to be \$1 per card, and approximately 85,000 cards are expected to be mailed to active registered voters in the first year. The current voter registration card format will be modified.
- The costs to the SOS Office to develop and implement a training course, a continuing education program, and voter outreach are estimated to be approximately \$50,000. The SOS Office will adopt Administrative Rules to implement the instruction required for this section of the Bill. The SOS Office currently prepares materials and provides elections training to county auditors and poll workers paid from the SOS Office's General Fund appropriation.

## **Division III – Polling Places**

The Bill creates an Electronic Poll Book and Polling Place Technology Revolving Loan Fund under the control of the SOS Office. The Fund is to be used to loan money, at no interest, to county commissioners to purchase e-poll books or to update e-poll books and polling place technology. The SOS Office may spend up to 30.0% of the moneys in this Fund to administer polling place technology. The moneys in the Fund are permitted to carry forward. The SOS Office is required to adopt Administrative Rules to administer the Fund and the Program.

Moneys in the Fund can include moneys allocated from the SOS budget and any other moneys obtained or accepted by the SOS Office for deposit in the Fund. There is no appropriation in the Bill for this Fund.

**Fiscal Impact**

According to a survey of voting precincts conducted by the SOS Office in January 2017, there are approximately 600 precincts that do not have e-poll books. The average cost of one set of e-poll books equipment is approximately \$875. According to the SOS Office, as a best practice, most counties utilize two sets of e-poll books in each precinct. Some precincts may require three sets of poll books due to voter turnout. The Bill does not mandate that the precincts use e-poll books, but should the precincts decide to modernize, there may be a cost to the counties. The Bill establishes a loan fund, but does not provide an appropriation to the Fund.

**Division IV – Election Certification and Audits**

The Bill requires the SOS Office to complete a post-election audit of each general election. No later than 20 days after each general election, the SOS Office will determine the number of counties and precincts to be audited. The Bill specifies auditing procedures and reports.

**Fiscal Impact**

Depending on the size of the precinct and the size of the county, the post-election audit may require some additional overtime hours for county auditor staff; however, no specific information is available at this time.

**Division V – Voter Misconduct Information and Reporting**

This Division outlines county attorney responsibilities for reviewing and reporting voter misconduct.

**Fiscal Impact**

This Division is not anticipated to have a significant fiscal impact.

**Division VI – Straight Party Voting**

This Division eliminates straight party voting in Iowa.

**Fiscal Impact**

This Division may have a minimal fiscal impact in that voting lines may be longer and poll workers may work additional hours. Hourly wages for a poll worker vary by county.

**Minority Impact**

The [U.S. Census](#) permits people to identify their race and ethnicity. The table below displays the latest census estimates as of July 1, 2015. The population estimate for Iowa was 3.1 million. In addition, approximately 11.9% of [Iowa's population](#) had at least one disability in 2015.

	Total Population	Male	Female	Caucasian	African American	American Indian/Alaska Native	Asian	Hawaiian/Other Pacific Islander	Hispanic	Two or More Races
National Census	321.4 million	49.2%	50.8%	77.1%	13.3%	1.2%	5.6%	0.2%	17.6%	2.6%
Iowa Census	3.1 million	49.7%	50.3%	91.8%	3.5%	0.5%	2.4%	0.1%	5.7%	1.8%

The table below applies the census estimates to the current registered voters in Iowa. In addition, based on the census data, approximately 253,306 of Iowa's active voters may have at least one disability.

**Race and Ethnicity Census Estimates Applied to the Number of Registered Voters**

Total Registered Voters as of 3/3/2017	Male	Female	Caucasian	African American	American Indian/Alaska Native	Asian	Hawaiian/Other Pacific Islander	Hispanic	Two or More Races
2,128,623	1,057,926	1,070,697	1,954,076	74,502	10,643	51,087	2,129	121,332	38,315

Based on the current available information, the minority impact of HF 516 cannot be determined at this time.

**Summary of Fiscal Impact**

**Secretary of State** — The fiscal impact of HF 516 includes one-time costs to the SOS Office identified in the table below:

<b>Estimated One-Time Costs to the Secretary of State's Office to Implement HF 516</b>	
	<b>FY 2018</b>
IVoters Programming Costs	\$ 65,120
Initial Voter Registration Card Costs	85,000
Education and Outreach Costs	50,000
	<u>\$ 200,120</u>

**Estimated Costs to Local Governments**

- There will be increased postage and mailing costs for some counties due to the requirement that the voter verification number be kept confidential; however, those costs cannot be determined at this time and the number of counties impacted is unknown. (Division I)
- The Bill does not mandate that the precincts use e-poll books, but should the precincts decide to modernize, there may be a significant cost to the counties. The Bill establishes a revolving loan fund under the control of the SOS Office, but does not provide an appropriation to the Fund. (Division III)
- Depending on the size of the precinct and the size of the county, the post-election audit may require some additional overtime hours for county auditor staff; however, no specific information is available at this time. (Division IV)
- Eliminating straight party voting may cause longer lines at polls and poll workers may work additional hours. This impact is expected to be minimal. (Division VI)

**Sources**

Secretary of State's Office  
 Department of Human Rights, Division of Criminal and Juvenile Justice Planning  
 Department of Transportation  
 Iowa Association of Counties

/s/ Holly M. Lyons

March 7, 2017

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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