



[SF 474](#) – Election Integrity, Secretary of State (LSB1365SV)
 Analyst: Jennifer Acton (Phone: (515)281-7846) (jennifer.acton@legis.iowa.gov)
 Fiscal Note Version – New

Description

[Senate File 474](#) relates to conduct and administration of elections, including voter registration, absentee voting, voter identity verification, signature verification, polling place prohibitions, commissioner certifications, and post-election audits. The Bill creates an Electronic Poll Book and Polling Place Technology Revolving Loan Fund, provides penalties, and includes 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 (59.0%) 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), 34 states require some form of documented 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.
- Under current law, most violations of election law under Iowa Code chapters [39](#) through [53](#) are prosecuted under Iowa Code chapter [39A](#). According to the Criminal and Juvenile Justice Planning Division, from FY 2012 to FY 2016, there have been 19 convictions of election misconduct under that chapter.

Assumptions

- The Bill establishes a new simple misdemeanor for violations of Iowa Code chapter 48A for which another penalty is currently not provided. It is unknown how many convictions may occur related to the simple misdemeanor created under the Bill.
- The Judicial Branch will not require any additional programming costs to provide jury questionnaire information to the Secretary of State’s (SOS) Office, as this report can currently be produced through the Iowa Court Information System (ICIS).
- 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](#).

Voter Verification Card 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 (one-time cost of \$1,137).
- 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.)
- According to the SOS Office, there are approximately 85,000 registered voters that do not have a current driver's license or nonoperator's identification card issued by the DOT.
- The SOS Office will produce and mail out a voter verification card to any person who is an active, registered voter without a valid ID. According to the SOS Office, the voter verification card will be a permanent card, separate from the voter registration acknowledgment card. The card will include the voter's name, signature, and a voter number. The other details related to the voter verification card will be established through the administrative rules process.
- The SOS Office may utilize the DOT's current driver's license vendor contract to produce the cards at \$4 per card. As an alternative, the SOS Office may issue a Request for Proposal (RFP) to select a new vendor to produce the voter ID cards that could result in a lower cost.
- The estimated cost to the SOS Office to produce and distribute voter verification cards is approximately \$4 per card, and approximately 85,000 cards are expected to be mailed to active registered voters in the first year (\$340,000).
- Ongoing costs to the SOS Office to produce voter verification cards will depend on the provisions included in the administrative rules and range from 6,250 cards (\$25,000) to 11,250 cards (\$45,000) per year. The estimated range is based on new voters registering to vote and voters that move to a different county that will require a new card.
- Implementation of this section of the Bill is contingent on an appropriation from the General Assembly.

E-Poll Book Assumptions

- 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 e-poll books due to voter turnout.
- The Bill does not mandate that the precincts use e-poll books, but should the precincts decide to purchase e-poll books, there may be a significant cost to the counties.
- The Bill establishes a loan fund for the purchase of e-poll books by counties, but does not provide an appropriation to the Fund.
- If all 600 precincts purchased one e-poll book, the cost would be \$525,000 and if each precinct purchased two e-poll books, the cost would be approximately \$1.1 million.
- The SOS Office will adopt administrative rules to implement this section of the Bill.

Post-Election Audit Assumptions

- The Bill requires the SOS Office to determine the number of counties and precincts to be audited and to select precincts to be audited in a county by lot. The audit is required to be a hand count of ballots for the Office of President of the United States or Governor, as the case may be.
- 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.

- The SOS Office will adopt administrative rules to implement this section of the Bill.

Public Education and Outreach Assumptions

- Approximately 5.0% of the SOS General Fund appropriation (\$70,000) is currently budgeted for communications, advertising, publicity, and outside services for elections and voter registration. The SOS Office will incorporate educational information into its ongoing voter engagement projects. Depending on the FY 2018 and FY 2019 General Fund appropriations to the SOS Office, additional resources may be required.
- The SOS Office plans to launch a social media campaign utilizing Facebook, YouTube, and Twitter. The SOS Office also plans to promote the initiative at its booth at the State Fair and to develop educational materials that civic and voter advocacy groups can use to help educate their members. The SOS Office will also work with all 99 county auditors to reinforce outreach at the local level.

SOS Office Education and Outreach Budget	
Video and Printed Material for Precinct Workers and County Election Officials	\$ 5,000
Social Media and E-Newsletter	10,000
Develop Educational Materials to be Used by Organizations to Educate Members and Constituents	15,000
Production and Distribution of Educational Material Components	20,000
Total	\$ 50,000

- The SOS Office has a 28E agreement with the Iowa State Association of County Auditors to provide approximately 40 hours in annual classroom training for all elections staff. Counties are also required to offer no less than two hours of training to precinct officials. The SOS Office plans to provide materials to be used at both of these trainings.

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 total registered voters in Iowa. In addition, based on the census data, approximately 253,306 of Iowa's total registered 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 SF 474 cannot be determined at this time.

Fiscal Impact

Senate File 474 will increase costs to the SOS Office in FY 2018 by approximately \$455,000, and ongoing costs for FY 2019 and each year thereafter range from \$25,000 to \$45,000 per year, depending on how the administrative rules are implemented. In addition, the section

implementing the voter verification cards is contingent upon an appropriation from the General Assembly.

Estimated Costs to Local Governments

- There may be increased provisional ballots and envelope costs for some counties due to the requirements of having an ID to vote; however, those costs cannot be determined at this time and the number of counties impacted is unknown.
- The Bill does not mandate that the precincts use e-poll books, but should the precincts decide to purchase e-poll books, 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.
- 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.

Sources

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

/s/ Holly M. Lyons

March 21, 2017

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.
