

## Department of Planning and Budget 2022 Fiscal Impact Statement

**1. Bill Number:** HB416

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

**2. Patron:** Herring

**3. Committee:** Privileges and Elections

**4. Title:** Constitutional amendment; qualifications of voters and the right to vote (voter referendum).

**5. Summary:** Provides for a referendum at the November 8, 2022, general election to approve or reject an amendment that would provide for the fundamental right to vote in the Commonwealth, revise the qualifications of voters so that a person convicted of a felony is not entitled to vote during his period of incarceration but is automatically invested with the right to vote upon release from incarceration, and update the existing prohibition on voting by persons found to be mentally incompetent to instead apply to persons who have been found to lack the capacity to understand the act of voting.

**6. Budget Amendment Necessary:** Yes – Item 89 of HB/SB 30.

**7. Fiscal Impact Estimates:** Preliminary

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2023	\$307,000	General Fund
2024		

**8. Fiscal Implications:** Section 30-19.9, Code of Virginia, requires the State Board of Elections to run advertisements in state newspapers and prepare posters and pamphlets providing public notice about proposed constitutional amendments. According to the Department of Elections, the estimated one-time cost relating to one referendum is \$307,000, which is based on 2020 amendments with a 10% inflation rate (based on the 6.8 percent Consumer Price Index factor in 2021 plus a 3.2 percent allowance for 2022). This amount consists of approximately \$100,000 for newspaper advertising costs and \$207,000 for printing and mailing pamphlets and posters.

If multiple proposed constitutional amendments or other statewide referenda were to be on the November 2022 ballot, there are some expected efficiencies in printing and advertising multiple proposed amendments and referenda at one time.

It is assumed that the provisions of HB 796 are intended to facilitate this proposed constitutional change. This fiscal impact statement reflects the impact of providing the

referendum on the ballot and any potential impact to implement the change, if adopted by the voters, is reflected in the impact statement for HB 796.

**9. Specific Agency or Political Subdivisions Affected:** Virginia Department of Elections and State Board of Elections.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** This bill is identical to HB 130, HB 795, and SB 21.

Date: 2/3/2022