

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7356**

**BILL NUMBER: SB 501**

**NOTE PREPARED: Jan 10, 2004**

**BILL AMENDED:**

**SUBJECT:** Voting Rights.

**FIRST AUTHOR:** Sen. Howard

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** The bill allows a person placed in a state or county work release program to register and vote. The bill adds imprisonment or lawful detention for a crime for which the defendant has been charged but not convicted to the circumstances in which a voter can vote by mail or before an absentee voters board.

**Effective Date:** July 1, 2004.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Summary:* The impact of the bill to local expenditures is indeterminable and would depend on the number of incarcerated persons that may request an absentee ballot or access to an absentee voter board.

The provisions of the bill may increase the number of applications for absentee ballots that circuit court clerks would process. Additional applications could minimally increase postage costs. The circuit court clerk would be responsible for prepaid postage if an incarcerated person were to request a ballot through mail.

Additionally, individuals held on suspicion of a crime or on lawful detention that request an absentee ballot would be allowed to have access to an absentee voter board. The impact of this provision would depend on the availability of the absentee voter board. It may be possible to allow several incarcerated individuals to meet with the absentee voter board at a mutual time at the facility of incarceration. Under current law, an

individual that would like to vote but is confined due to illness or injury is allowed to have an absentee voter board present at the individual's place of confinement. There must be agreement by the board and the individual to meet during regular business hours of the circuit court clerk. Absentee voter boards may travel and meet with a qualifying voter on any of the 12 days immediately preceding election day. Additionally, the county election board by unanimous vote may allow an absentee voter board to go to an individual's place of confinement if it is outside the county on election day.

*Background:* As of Dec 31, 2002, there were approximately 15,600 criminal cases (murder, A felony, B felony, C felony) pending in Indiana. The majority of these cases would involve jail time pending trial. In 2001, approximately 13,153 individuals were held in a county jail.

*Absentee Voter Boards:* Under current law, absentee voter boards are comprised of two members, one of each major political party. The board members must be voters in the county of service and are appointed to their position by the county election board. Absentee voter board members are entitled to a per diem set by the county executive for performance of their duties. Additionally, members of boards who travel to an individual's place of confinement to allow the individual to vote are allowed a per diem determined by the county executive and travel mileage reimbursement rate determined by the county fiscal body.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** County election board, circuit court clerk.

**Information Sources:** *2002 Indiana Judicial Service Report, Volume II and Probation Reports*; Department of Correction.

**Fiscal Analyst:** Chris Baker, 317-232-9851.