

**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 7013

BILL NUMBER: HB 1281

NOTE PREPARED: Jan 4, 2012

BILL AMENDED:

SUBJECT: Absentee Voting.

FIRST AUTHOR: Rep. Richardson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

Person Assisting Filling Out Ballot- The bill provides that a person assisting a voter in filling out an absentee ballot application may not assist the voter in completing the part of the application that states the reason the voter is entitled to vote an absentee ballot unless the voter is a voter with disabilities.

Submitting Copy of Person's Identification- The bill requires a person who files an absentee ballot application for another individual to submit a copy of the person's proof of identification with the application. The bill requires a person who files an absentee ballot application for another individual by facsimile (fax) must also include with the transmission the same affidavit that must be filed with a hand-delivered application and a copy of the person's proof of identification.

Multiple Absentee Ballots- The bill requires a person who files multiple absentee ballot applications to file an affidavit and a copy of the person's proof of identification for each application. The bill provides that the deadline for filing an application for an absentee ballot by hand delivery is not later than 11:59 p.m. on the eighth day before election day.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *Person Assisting Filling Out Ballot-* A person that knowingly violates this provision would commit a Class D felony. A Class D felony is punishable by a prison term ranging from six months to three years or reduction to Class A misdemeanor depending upon mitigating and aggravating circumstances. Assuming offenders can be housed in existing facilities with no additional staff, the marginal

cost for medical care, food, and clothing is approximately \$3,318 annually, or \$9.09 daily, per prisoner. However, any additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class D felony offenders is approximately ten months.

Explanation of State Revenues: *Person Assisting Filling Out Ballot-* If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class D felony is \$10,000. However, any additional revenues would likely be small.

Explanation of Local Expenditures: *Person Assisting Filling Out Ballot-* If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures would likely be small.

Multiple Absentee Ballots- Filing a copy of a person's identification (ID) and an affidavit with each absentee ballot submitted would increase the administrative time necessary to match each ID and affidavit to each ballot submitted. It is likely, local election officials would be able to process the additional paperwork within existing resources.

Submitting Copy of Person's Identification- Similar to filing multiple copies of a person's ID, the county election board would have to file hand-delivered copies of the paperwork sent along with the absentee ballot in the fax.

Explanation of Local Revenues: *Person Assisting Filling Out Ballot-* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, the amounts would likely be small.

State Agencies Affected: Department of Correction.

Local Agencies Affected: County election boards, trial courts, local law enforcement agencies.

Information Sources:

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