

FISCAL NOTE

HB 313 - SB 490

February 17, 2005

SUMMARY OF BILL: Requires all counties with electronic voting machines to place a copy of the source code in an escrow facility prior to the election. If the source code is amended after the seventh day, the subsequent program shall be deposited in the escrow facility no later than 12:00 noon on the day of the election. Authorizes the Secretary of State to file proceedings against any county election commission not complying with this procedure and to promulgate rules and regulations to carry out the provisions of this bill.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant
Increase Local Govt. Expenditures – Not Significant

Assumptions:

- Any costs to the Secretary of State to file proceedings against a county election commission for noncompliance or the promulgation of rules and regulations will be not significant.
- Any costs associated with county election commissions acquiring such source codes from manufacturers and the securing of such source codes in an escrow facility is estimated to be not significant.
- Any costs to county election commissions to defend themselves in a proceeding brought by the Secretary of State for noncompliance with this procedure in the chancery court of Davidson County will result in a not significant increase in local government expenditures. Assumes few proceedings would be brought since, at present, manufacturers of DREs (touch screen voting machines) are not required to give the source code to the county election commissions. Commissions, therefore, would not be able to comply with this law.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



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