

# OFFICE OF FISCAL ANALYSIS

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sHB-5533

## AN ACT CONCERNING PROTECTION OF ELECTION ADMINISTRATION PROCESSES, ELECTIONS SITES, ELECTION WORKERS AND ELECTORS.

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### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Correction, Dept.; Judicial Dept. (Probation)	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

**Sections 1 through 5** create new or expand existing criminal penalties ranging from a class D felony to a class B felony, resulting in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300<sup>1</sup> while the average marginal cost for supervision in the community is less than \$600<sup>2</sup> each year for adults and \$450 each year for juveniles.

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<sup>1</sup> Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these expenses would only be realized if a unit or facility opened.

<sup>2</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

**Section 6** requires all municipal officials and election workers who receive a subpoena, warrant, or other request for certain election records to notify certain state officials, resulting in no fiscal impact as this requirement can be met with existing resources.

**Sections 7 and 8** authorize the Office of the Attorney General (OAG) to seek relief to prevent election interference and broadens the OAG's authority to bring actions based on alleged civil rights violations resulting in no fiscal impact to the state. The OAG has the resources and expertise to meet the requirements of the bill.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenses and fines collected.