

**FISCAL IMPACT OF PROPOSED LEGISLATION**

Measure: HB 3021 - A6

81st Oregon Legislative Assembly – 2021 Regular Session  
Legislative Fiscal Office*Only Impacts on Original or Engrossed  
Versions are Considered Official*Prepared by: Michael Graham  
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Date: June 9, 2021**Measure Description:**

Requires the Secretary of State to create and make publicly available a list of the five most commonly spoken languages spoken, other than English, by residents of the state and of each county.

**Government Unit(s) Affected:**

Secretary of State (SOS), Counties

**Summary of Fiscal Impact:**

Costs related to the measure may require budgetary action - See analysis.

**Summary of Expenditure Impact:****Secretary of State**

General Fund	2021-23 Biennium	2023-25 Biennium
Personal Services	\$344,701	\$213,947
Services and Supplies	338,902	322,198
<b>Total Funds</b>	<b>\$683,603</b>	<b>\$536,145</b>
Positions	2	1
FTE	1.83	1.00

**Analysis:**

House Bill 3021, as amended by the -A6 amendments, modifies the A-engrossed version. The measure directs the Secretary of State (SOS) to create and make publicly available a list of the five most common languages spoken, other than English, by residents of the state and of each county. SOS must ensure that the state voters' pamphlet and county voters' pamphlets are translated into each listed language and are available on the SOS and county websites. Voters' pamphlets must include, in each listed language, the website address for the translated voters' pamphlet, candidate statements, and arguments for and against ballot measures. The measure establishes the Translation Advisory Council, which will consist of five at-large members and at least one translator member for each listed language. Council members are entitled to *per diem* compensation and may receive actual and necessary travel or other expenses in performance of their council duties. SOS will provide clerical and other support to the council and consult the council to ensure the translation of a voters' pamphlet is professional and accurate. The measure appropriates \$683,603 General Fund to the Secretary of State in the 2021-23 biennium to implement its provisions. The measure takes effect 91 days after adjournment *sine die* and applies to voters' pamphlets distributed on or after June 30, 2022.

**Secretary of State**

The measure would have a fiscal impact on SOS. To assist the Translation Advisory Council, SOS anticipates needing to promulgate new administrative rules that clearly direct the authority and activities of the council, which will require additional staff with experience and expertise in developing new administrative rules. SOS has thus requested a permanent, full-time General Counsel position in SOS's revised Agency Request Budget. Though not included in this fiscal impact statement, this position, if approved, would oversee the promulgation of the new administrative rules to implement the measure. In addition to the General Counsel position, SOS anticipates

needing a full-time, limited duration Program Analyst 3 to assist with promulgating the new administrative rules, and to create procedures and processes for the council. This position would be phased out after the 2021-23 biennium. SOS would also need a permanent, full-time Administrative Specialist 2 to support the ongoing work of the council. The members of the council are entitled to *per diem* compensation, which is currently calculated at \$30 per day, as well as actual and necessary travel or other expenses. SOS estimates the council costs at \$4,000 General Fund per year; however, it should be noted that if House Bill 2992 were to pass in the 2021 Regular Session, the council members' rate of compensation would increase from \$30 per day to \$151 per day, which would alter the council's estimated annual costs.

The measure requires SOS to ensure that the state voters' pamphlet and county voters' pamphlets are translated into each of the five identified languages and to make the translated voters' pamphlets available on the Secretary of State's website. It also requires these voters' pamphlets to include, in each of the five identified languages, the website address for each translated voters' pamphlet. SOS is to assume responsibility for funding these changes. The estimated cost to SOS to translate the state and county voters' pamphlets and to make it available on the SOS website, including needed information technology upgrades, is \$294,203 General Fund per biennium. This assumes a cost of between .24 cents and .34 per word at 226,310 word per language, including Spanish, Russian, Somalian, Chinese and Vietnamese.

Overall, the fiscal impact to SOS in 2021-23 is \$683,603 General Fund and 2 positions (1.83 FTE). The anticipated fiscal impact to SOS in 2023-25 is \$536,145 General Fund and 1 position (1.00 FTE).

### **Counties**

The measure would have a minimal fiscal impact on counties. Although counties may at their own expense, as part of a translated voters' pamphlet, make or accept for publication on the county's website any portion of a state or county voters' pamphlet that is not described in the measure, they are not required to do so. However, if a county produces a county voters' pamphlet for an election, the county would need to include certain informational statements in the information section of the pamphlet. Overall, the measure might marginally increase a county's elections costs, assuming the county produces a county voters' pamphlet and provides information on the county's website.