

**Secretary of State
Budget No. 108
Senate Bill No. 2002**

	FTE Positions	General Fund	Other Funds	Total
2019-21 legislative appropriation	32.00	\$5,623,063	\$15,431,641	\$21,054,704
2017-19 legislative appropriation	<u>32.00</u>	<u>5,808,732</u>	<u>3,238,155</u>	<u>9,046,887</u>
2019-21 appropriation increase (decrease) to 2017-19 appropriation	0.00	(\$185,669)	\$12,193,486	\$12,007,817

Item Description

Statewide voting system and e-poll book project - The 2019 Legislative Assembly identified \$11.2 million of one-time funding to the Secretary of State for the 2019-21 biennium, for the statewide voting system and e-poll book project. The appropriation includes \$8.2 million from the strategic investment and improvements fund and \$3 million from federal funds.

Voter ID litigation - On January 20, 2016, members of the Turtle Mountain Band of Chippewa Indians sued the Secretary of State alleging that the voter identification requirements in state law deny the right of qualified Native American electors to vote. On April 18, 2018, the attorneys for the plaintiffs asked the court to award \$1.2 million for fees attributed to the voter ID litigation.

File 2.0 computer project - Technology project exemption - Section 8 of Senate Bill No. 2002 provides that any unexpended funds from the technology project appropriation in subdivision 1 of Section 1 of Chapter 36 of the 2015 Session Laws is not subject to the provisions of Section 54-44.1-11 and may be continued into the 2019-21 biennium.

The 2019 Legislative Assembly did not provide additional funding for the project.

Status/Result

The statewide voting system and e-poll books have been purchased and deployed. As of March 31, 2020, the Secretary of State's office has expended \$6,486,465. The Secretary of State's office anticipates expending the remaining funds by the end of the 2019-21 biennium.

The court ruled against the Secretary of State and has required the Secretary of State, in consultation with tribal governments, to develop and implement a program of distributing free nondriver photo identification cards on all North Dakota Indian reservations within 30 days in advance of statewide elections. The Secretary of State is also required to work with tribal governments to seek an ongoing appropriation from the Legislative Assembly to reimburse tribal governments for the administrative costs of issuing addresses and IDs for voting purposes in an amount of up to \$5,000 for actual costs incurred per tribal government for each statewide election cycle. The court has yet to rule on reimbursement of attorneys' fees and costs by the Secretary of State.

As of March 2020, the Secretary of State has spent \$139,315 of the \$1,258,207 continued from the 2015-17 biennium appropriation for the technology project.