

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 14-0140	Date: January 24, 2014
Prime Sponsor(s): Rep. Hulinghorst; Murray Sen. Ulibarri; Roberts	Bill Status: House SVMA
	Fiscal Analyst: Bill Zepernick (303-866-4777)

SHORT TITLE: NONPARTISAN ELECTIONS NOT COORDINATED CNTY CLERKS

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures	Potential workload increase. See State Expenditures section.	
FTE Position Change		
Appropriation Required: None.		

** This summary shows changes from current law under the bill for each fiscal year.*

Summary of Legislation

The bill creates the Colorado Local Government Election Code to govern the conduct of nonpartisan elections by special districts that are not coordinated by a county clerk. The new election code does not apply to counties, municipalities, regional transportation districts, or school districts. Among other things, the local government election code, modeled after the municipal election code, covers the following:

- voter eligibility and registration;
- candidate nominations;
- election judge qualifications and duties;
- notice and preparation for local government elections, including establishment of polling places and use of election equipment;
- conduct of elections and counting of votes; and
- processes for challenges to voters, surveys of returns, elections contests, and judicial proceedings when controversies arise.

The code also gives special districts the option of conducting independent mail ballot elections, which clarifies the procedures for districts to conduct mail ballot elections in non-coordinated election.

Last year, House Bill 13-1303 reduced the minimum duration for residency in the state from 30 days to 22 days and eliminated minimum precinct residency requirements for voting. The bill aligns the residency requirements for school district and municipal elections with the requirements of HB 13-1303 by removing minimum residency requirements for municipal precincts, special districts, and school election precincts. The bill correspondingly aligns dates for the preparation of voter lists and oaths sworn by electors.

State Expenditures

The bill potentially increases workload in the Department of State in two areas, as discussed below. Overall, the workload impact is expected to be minimal and can be absorbed within existing resources, assuming there are not a large number requests for assistance from special districts.

Certified voting equipment. The bill allows special districts to request certification of electronic voting equipment by the Secretary of State. Assuming fewer than 25 requests for voting equipment certification per year under the bill, this workload can be accomplished by existing staff within the department. Given the nature of special district elections, including the use of mail ballots, a large number of requests for certification is not expected.

Procedural assistance. At the request of special districts, the Secretary of State may provide recommendations concerning the format of mail ballot materials, procedures for conducting independent mail ballot elections, and other election forms and procedures. The fiscal note assumes that the Secretary of State's Office will respond to requests for assistance within available resources. If special districts require a large amount of technical assistance from the Secretary of State, any need for additional resources will be considered through the annual budget process.

Local Government Impact

Workload impact to local governments is expected to be minimal. The bill clarifies the conduct of non-coordinated special district elections following the passage of HB 13-1303 and gives special districts additional clarity and guidance in the conduct of elections under a specific local government election code, including the conduct of independent mail ballot elections. Aligning the residency requirements for school districts, municipalities, and special districts with HB 13-1303 removes logistical concerns and potential workload for election officials to address situations where voters meet the state residency requirement but not the local precinct or district requirement.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to elections occurring on or after the effective date of the bill.

State and Local Government Contacts

State
County Clerks
Special Districts

Education
Municipalities

Counties
Regional Transportation District