

Colorado Legislative Council Staff
FISCAL IMPACT STATEMENT



Date: August 15, 2002

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BALLOT TITLE: AN AMENDMENT TO THE COLORADO REVISED STATUTES CONCERNING THE USE OF PETITIONS TO PROVIDE CANDIDATE ACCESS TO THE PRIMARY ELECTION BALLOT, AND, IN CONNECTION THEREWITH, REQUIRING THAT ALL CANDIDATES FOR NOMINATION AT A PRIMARY ELECTION BE PLACED ON THE PRIMARY ELECTION BALLOT BY PETITION; ELIMINATING THE CANDIDATE DESIGNATION AND CERTIFICATION PROCESS FROM STATE, COUNTY, AND DISTRICT ASSEMBLIES; SPECIFYING THE SIGNATURE REQUIREMENTS FOR NOMINATING PETITIONS FOR ACCESS TO THE PRIMARY ELECTION BALLOT; ALLOWING A CANDIDATE TO INCLUDE A PERSONAL STATEMENT ON HIS OR HER NOMINATING PETITION; PROVIDING FOR EXAMINATION OF NOMINATING PETITIONS BY THE DESIGNATED ELECTION OFFICIAL; AND SETTING FORTH A PROCEDURE TO PROTEST THE ELECTION OFFICIAL'S DECISION REGARDING THE SUFFICIENCY OF NOMINATING PETITIONS.

Fiscal Impact Summary	FY 2002/2003	FY 2003/2004
State Revenues		
General Fund		
Department of State Cash Fund	minimal increase	
State Expenditures		
General Fund		
Department of State Cash Fund		\$79,040
FTE Position Change	0.0 FTE	0.0 FTE
Other State Impact: TABOR Impact (See Other State Impacts Section)		
Effective Date: Upon approval of voters at the 2002 General Election; applies to primary elections		
Appropriation Summary for FY 2002/2003: None required		
Local Government Impact: Increased revenues and expenditures for county election officials		

Summary of Initiated Measure

The measure requires that all candidates of major political parties be placed on the primary election ballot by petition. The measure sets forth the specific petition signature requirements for candidates and expands the time period for collecting petition signatures.

State Revenue

The proposal allows an election official to impose a fee for handling protests associated with a ruling of validity regarding petition signatures. The amount of any additional fee revenue will depend on the number of protests filed under the proposal. Fees imposed on challenges to petitions for state offices would be set by the Secretary of State and credited to the Department of State Cash Fund. No estimate of increased fee revenue has been made.

State Expenditures

The proposal will increase the number of petitions that must be reviewed by election officials, although the number of signatures required on each petition is lower in many cases. Overall, the proposal is expected to increase the workload of the Colorado Department of State in reviewing petitions and verifying petition signatures. The additional costs to the Department of State from this proposal are expected to total \$79,040 in budget year 2003-04, including costs for additional temporary staff and computer programming. In budget year 2005-06 and every other budget year thereafter, the department's costs are estimated to be \$64,000 for temporary staff. The proposal may also increase the number of primary elections, potentially increasing election costs. However, these additional costs, if any, have not been estimated. All state costs under the proposal would be paid from the Department of State Cash Fund.

Other State Impacts

The additional revenue from fees authorized under this proposal will count towards the state's constitutional revenue limit (TABOR). The current revenue forecast indicates that the state will not exceed its revenue limit during FY 2002-03 or FY 2003-04, but the state will exceed the limit beginning in FY 2004-05. Under current law, any surplus moneys are refunded in the following fiscal year. Current law also requires that the state refund 105 percent of the amount required to be refunded through the state's six-tier sales tax method.

Local Government Impact

The measure will increase the number of petitions that must be reviewed by county clerk and recorders, while reducing the number of signatures required on each petition. County clerks are authorized to impose a fee for handling protests associated with a ruling of validity regarding petition signatures. The amount of any additional fee revenue will depend on the number of protests filed under the proposal. The proposal may also increase the number of primary elections, potentially increasing election costs incurred by counties. Any additional costs to counties or fee revenue will depend on the number of candidates for county offices on the primary ballot and the number of challenges to petition signatures for these candidates.

State Appropriations

No new state appropriations are required to implement the measure in FY 2002-03.