



Colorado *Legislative Council Staff Fiscal Note*
NO FISCAL IMPACT

Drafting Number: LLS 08-0758	Date: January 16, 2008
Prime Sponsor(s): Rep. Balmer; Marshall Sen. Gordon; Johnson	Bill Status: House SVMA
	Fiscal Analyst: Chris Ward (303-866-5834)

TITLE: CONCERNING THE AUTHORITY OF THE SECRETARY OF STATE TO CONTINUE THE CERTIFICATION PROCESS FOR VOTING SYSTEMS RETESTED BY THE SECRETARY OF STATE IN 2007.

Summary of Legislation

The bill clarifies the authority of the Secretary of State to continue testing voting systems, communicate with county election officials and vendors, and amend or rescind any decertification orders issued on December 17, 2007. For any amended or rescinded order, the Secretary of State must take into account the results of any additional testing and state the reasons for the decision. Copies of any amended or rescinded order must be delivered to the affected county and to the legislature. The bill also specifies that the Secretary of State permit county election personnel to operate the voting system during any additional testing. The bill takes effect upon signature of the Governor or upon becoming law without his signature. It is repealed July 1, 2009.

Background. General and primary elections are conducted by county clerk and recorders in Colorado using voting equipment purchased by the counties. Prior to its use, this equipment is subject to certification by both federal and state agencies that it meets certain standards. Pursuant to an order of the Denver District Court, the Colorado Secretary of State in 2007 retested voting machines used throughout the state to ensure compliance with these and other standards. The result of that process was a series of orders issued on December 17, 2007, which had implications for all Colorado counties.

Assessment

Because the Secretary of State has already been conducting additional testing and communicating with counties, vendors, and the legislature, the bill will have no fiscal impact on the state. For counties whose voting machines will undergo additional testing, the bill may increase travel and other costs associated with sending election personnel to participate in the additional testing. These costs have not been estimated, but are not expected to be significant.

Departments Contacted

State