

**FINAL
FISCAL NOTE**

Drafting Number: LLS 09-0292
Prime Sponsor(s): Sen. Carroll M.
 Rep. Peniston

Date: June 8, 2009
Bill Status: Signed into Law
Fiscal Analyst: Harry Zeid (303-866-4753)

TITLE: CONCERNING INCREASED ACCOUNTABILITY REQUIREMENTS FOR SPECIAL DISTRICTS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Fiscal Impact Summary	FY 2009-2010	FY 2010-2011
State Revenue		
State Expenditures		
Cash Funds		
Department of State Cash Fund	\$7,005	\$7,005
FTE Position Change		
Effective Date: The Governor signed the bill into law on June 1, 2009, and the bill will take effect September 1, 2009, except that sections 7, 8, and 9 will take effect July 1, 2009.		
Appropriation Summary for FY 2009-2010: See the State Appropriations section.		
Local Government Impact: See the Local Government Impact section.		

Summary of Legislation

The bill requires that information about special district audits and the budget process be posted on the official website of the Division of Local Government in the Department of Local Affairs in a form that is readily accessible to the public. Further, the division must provide certified election results to the Secretary of State. The Secretary of State must post the election results on its official website.

On or before January 1, 2010, each special district must file a current, accurate map of its boundaries with the county clerk and recorder in each of the counties in which the special district is located. The map's boundaries must be updated annually and filed with the offices of the clerk and recorder.

The board of any metropolitan district with more than \$25,000 of annual revenue or with total authorized debt of more than \$1,000 per elector, is required to maintain a list of eligible electors of the district who have applied for permanent mail-in voter status. In an election conducted by the board, the board would mail a mail-in ballot to each eligible elector on the list. The board of a metropolitan district would annually provide notice to eligible electors that includes specified information about the special district and its elections. The notice would either be through a separate mailing to each household, including the notice as a prominent part of an informational mailing, posting on the district's official website, or through a posting on the website of the statewide association of special districts.

State Expenditures

Beginning in FY 2009-10, the Department of State will require an annual cash fund expenditure of \$7,005 to implement the bill based on the following assumptions:

- the Division of Local Government in the Department of Local Affairs will provide certified election results in paper format to the Department of State;
- results will be scanned and posted on the Department of State's Elections Division website;
- election results will not be standardized, analyzed, or otherwise reviewed;
- the Elections Division will utilize its current document tracking system to scan and post results; and
- a total of 467 hours will be required annually at a rate of \$15 per hour for a total cost of \$7,005 per year.

It should be noted that if election results data are to be standardized and presented in a searchable database, the division would need to review data for accuracy, missing data, and other data anomalies. This would require additional software and further development costs, estimated at \$87,080 in FY 2009-10, and \$70,100 annually thereafter. This fiscal note assumes that the less expensive scanning and posting method will be utilized to provide data on the division's website since the expenditure for FY 2009-10 will be \$7,005 versus \$87,080 for a more comprehensive searchable data base.

Local Government Impact

The bill creates a number of requirements for special districts to submit information to the Department of Local Affairs, and to provide information to the district's residents either through an annual mailing, or on the official website of the district or the website of the Special District Association .

State Appropriations

The fiscal note implies that the Department of State requires a cash funds appropriation of \$7,005 from the Department of State Cash Fund in FY 2009-10 to implement the bill.

Departments Contacted

Judicial

Local Affairs

Secretary of State