

**FINAL
FISCAL NOTE**

Drafting Number: LLS 11-0270
Prime Sponsor(s): Rep. Holbert
 Sen. Harvey

Date: June 13, 2011
Bill Status: Postponed Indefinitely
Fiscal Analyst: Alex Schatz (303-866-4375)

TITLE: CONCERNING THE AUTHORITY OF THE SECRETARY OF STATE TO REQUEST PROOF OF CITIZENSHIP OF ANY ELECTOR WHOSE NAME APPEARS IN THE STATEWIDE VOTER REGISTRATION DATABASE WHO THE SECRETARY OF STATE BELIEVES IS NOT A CITIZEN OF THE UNITED STATES, AND MAKING AN APPROPRIATION THEREFOR.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures		
Cash Funds		
Department of State Cash Fund	\$81,302	
Vital Statistics Records Cash Fund	10,395	
FTE Position Change		
Effective Date: The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on April 18, 2011.		
Appropriation Summary for FY 2011-2012: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

The bill requires the Secretary of State to compare information in the statewide computerized voter registration system (SCORE) against other state and federal agency records to determine the citizenship status of registered voters.

Following a review of available evidence, a notice is sent, with return receipt requested, to any voter registered in SCORE who the secretary believes is not a United States citizen. Registered voters receiving such a notice have 90 days to submit documentation to the secretary. One of the following must be submitted as proof of citizenship:

- a U.S. passport or, subject to the secretary's discretion, a photocopy of its relevant pages;
- a birth certificate or, subject to the secretary's discretion, a photocopy of a birth certificate;

- naturalization information, subject to verification by the secretary; or
- other documents accepted as proof of citizenship under federal law, including documents identified on the federal I-9 form.

If a voter fails to submit proof of citizenship within 90 days of the secretary's notice, that voter will be deemed to have an incomplete registration record and becomes ineligible to vote.

The secretary is required to assist voters claiming a financial hardship by obtaining a certified copy of the voter's birth certificate. A Colorado birth certificate is furnished at no charge by the state registrar of vital statistics or the secretary pays, as needed, an out-of-state agency to mail a certified copy of the voter's birth certificate.

State Expenditures

In FY 2011-12, the bill will result in one-time costs of \$81,302 in the Department of State and \$10,395 in the Department of Public Health and Environment.

Under the bill, the Department of State will mail notifications requesting proof of citizenship to approximately 11,000 registered voters, at a cost of \$5.62 per mailing (\$0.52 postage, \$2.80 certified mail, and \$2.30 return receipt card) for a total mailing cost of \$61,820. The department will also incur a cost of \$2,180 for 20 hours of vendor programming support to modify the statewide computerized voter registration system (SCORE) to allow voting records to be marked incomplete, as required by the bill. The department is able to absorb within existing resources the costs associated with scanning proof of citizenship, where provided in response to the department's notice. For voters claiming financial hardship in response to the secretary's notice, the department will pay the costs to obtain birth certificates from other states; the number of out-of-state birth certificates the department must acquire is estimated at 486 individuals, with a cost of \$17,302 based on an estimated average cost of \$35.60 to acquire a duplicate birth certificate from other states. With the potential to cross-check additional databases, the secretary may be able to narrow the list of registered voters not believed to be citizens; this may reduce the number of mailings and the number of birth certificates to be furnished under the bill, with an associated reduction in anticipated costs.

Assuming 11,000 voters are required to prove citizenship under the bill, it is estimated that the Colorado Department of Public Health and Environment (CDPHE) will receive approximately 378 certified requests for a Colorado birth certificate from the Secretary of State. The cost to provide two certified copies of a Colorado birth certificate (one to the voter and one to the Secretary of State, as required by the bill) is \$27.75. The office of the state registrar of vital records in CDPHE will incur a one-time cost of \$10,395 to comply with the bill.

New voter registrations will require periodic review by the Secretary of State. However, once the initial list of potentially ineligible voters is processed, new registrations are a fraction of total voter registrations in SCORE; ongoing costs to the affected departments are assumed to be minimal.

State Appropriations

The bill requires an amendment to the appropriation clause, to reflect changes in the fiscal note for the engrossed bill. Specifically, the Department of State requires an appropriation of \$81,302 for FY 2011-12 from the Department of State Cash Fund; the Department of Public Health and Environment requires a cash funds appropriation of \$10,395 for FY 2011-12 from the Vital Statistics Records Cash Fund.

Departments Contacted

State Public Health and Environment