

NO FISCAL IMPACT

Drafting Number: LLS 10-0499**Date:** January 23, 2010**Prime Sponsor(s):** Sen. Kester**Bill Status:** Senate SVMA**Fiscal Analyst:** Jessika Shipley (303-866-3528)

TITLE: CONCERNING A STATUTORY MECHANISM FOR THE REFERRAL OF A BALLOT QUESTION REGARDING THE TERM LIMIT OF A DISTRICT ATTORNEY.

Summary of Legislation

This bill provides a statutory mechanism for referring ballot measures seeking to lengthen, shorten, or eliminate the limitations on terms of office for district attorneys. District attorneys are elected to represent judicial districts, but judicial districts do not have a clearly defined governing body with the authority to call and conduct elections.

The boards of county commissioners for the counties in which judicial districts are encompassed are required to refer any ballot question regarding a change in term limits for district attorneys. For a judicial district whose territory is comprised of more than one county, the boards of county commissioners for each county situated within the judicial district are required to act together as the governing body for that judicial district for the purpose of referring any ballot question regarding a change in term limits for district attorneys.

Any such ballot question must appear on the ballot in each county situated within a judicial district at the same election. The ballot language must be identical in each county or the measure is void. Such a ballot question may only appear on the ballot in a general election. The bill specifies certain duties of county clerks and recorders with regard to certifying the vote of such a measure. The General Assembly may also refer a measure to the electors of a judicial district. The bill will become effective upon the signature of the Governor or upon its becoming law without his signature.

Assessment

This bill will not affect state revenue or expenditures and is assessed as having no fiscal impact. For judicial districts that are situated entirely in a single county, this bill will simply authorize the board of county commissioners for that county to refer a ballot measure related to term limits for district attorneys. For judicial districts that straddle multiple counties, a new process will be required, whereby the boards of county commissioners for each county affected will be required to meet together to refer such ballot measures. However, the fiscal note assumes that the frequency of any combined meetings will be extremely low. Additionally, the bill is not expected to add appreciably to the workload of county clerks and recorders.

Departments Contacted

Secretary of State