

Colorado Legislative Council Staff Fiscal Note

LOCAL

CONDITIONAL FISCAL IMPACT

Drafting Number: LLS 10-0662

Date: January 15, 2010

Prime Sponsor(s): Sen. Kopp

Bill Status: Senate SVMA

Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING A REQUIREMENT THAT VACANCIES IN THE OFFICE OF A UNITED STATES SENATOR FROM THIS STATE BE FILLED BY A VACANCY ELECTION.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: August 11, 2010, assuming the General Assembly adjourns May 12, 2010, as scheduled and no referendum petition is filed.		
Appropriation Summary for FY 2010-2011: None required.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

The bill requires that a vacancy election be held in the event of a vacancy in the office of a United States senator. A vacancy election for U.S. senator is to be set by the Governor between 75 and 90 days after the vacancy occurs, but not within the 90 days prior to a general election. Under current law, the Governor may appoint a person to the U.S. Senate in the event of a vacancy, and then an election is held at the next general election to fill the remainder of the unexpired term.

State Expenditures

In the event of a vacancy, the Department of State may incur additional costs during the election for petition verification, ballot certification, and county support. However, U.S. Senate vacancies are expected to be rare and any costs could be absorbed within existing appropriations.

Local Government Impact

Costs to counties are conditional upon a U.S. Senate vacancy occurring and the timing of the subsequent vacancy election. Such vacancies are not anticipated to occur frequently. Prior to the 2009 vacancy, the most recent U.S. Senate vacancy in Colorado occurred in 1941.

A U.S. Senate vacancy would require a statewide election, which would impact all counties. If the vacancy occurred at a time that allowed the vacancy election to be held concurrently with a general election, cost increases to counties would be minimal. If the vacancy election were to be held separately from a regularly scheduled election, counties would incur costs similar to other elections. Costs for a large, Front Range county are estimated to be \$1.0 million for an election using polling places and \$400,000 for an all-mail ballot election. Costs would be lower for smaller counties with fewer polling places or registered voters.

Departments Contacted

State