

*Colorado Legislative Council Staff Fiscal Note*  
**STATE and LOCAL  
 FISCAL IMPACT**

**Drafting Number:** LLS 11-0147

**Date:** January 25, 2011

**Prime Sponsor(s):** Rep. Court

**Bill Status:** House SVMA

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

**TITLE:** CONCERNING THE FORM OF A STATEWIDE BALLOT TITLE.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
<b>State Revenue</b>		
<b>State Expenditures</b>		
Cash Funds		
Department of State Cash Fund		\$0.8 million - \$3.1 million
<b>FTE Position Change</b>		
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.		
<b>Appropriation Summary for FY 2011-2012:</b> See State Appropriations section.		
<b>Local Government Impact:</b> See Local Government Impact section.		

**Summary of Legislation**

The bill establishes a uniform style for statewide ballot titles for initiated and referred measures beginning with the 2012 general election. These changes include:

- presenting key points of the ballot issue as a bulleted list rather than in paragraph form;
- expanding the current "Yes" or "No" response to a ballot issue to "Yes/For" or "No/Against"; and
- replacing the phrase "and, in connection therewith" with the word "that" before the bulleted section of the ballot title.

**State Expenditures**

**The Department of State will have costs of between \$0.8 million and \$3.1 million in FY 2012-13 for the 2012 general election, conditional upon the Secretary of State allowing reimbursement for counties.** These costs are to reimburse counties for costs attributable to implementing the ballot format required by this bill (See the Local Government Impact section of the fiscal note for a discussion of the factors affecting local costs). The costs are paid from the Department of State Cash Fund. The reimbursement method for counties is repealed on January 1, 2014.

Because the number of state and local ballot measures are not known at this time, the exact costs of reimbursing counties cannot be estimated exactly. The range indicated above is a preliminary estimate based on information received from county clerks in two large, Front Range counties that indicated an increase in printing and postage costs of approximately 40% under the bill. The fiscal note used this estimate for the high end of the range and extrapolated this increase to all 64 counties based on population. The low end of the estimate assumes a 10% increase in printing and postage costs, also extrapolated to all counties based on population. The costs assume that county clerks conduct elections using the methods (i.e., polling places, mail ballots) as allowed under current law.

### **Local Government Impact**

The format changes to ballot titles required by the bill are expected to increase costs to counties in two main areas: 1) printing and postage from increased ballot length; and 2) voting machine programming. The Secretary of State may choose to reimburse counties for any costs incurred by counties in implementing this bill.

*Printing and postage costs.* Including bulleted lists in ballot titles and expanding the "Yes/No" voting description could make ballots longer, which would increase the printing and postage costs to counties. The exact length of ballots varies by election year and location, so it is difficult to predict what impact the format change would have in any given election in a county. In general election years with a large number of ballot measures, the format required by the bill could increase ballot length significantly.

A large, Front Range county could have increased printing costs of between \$100,000 and \$400,000, depending on the length of the ballot. Mailing costs would also increase, depending on the additional weight of the ballot and the number of voters requesting mail ballots. Counties with smaller populations would also incur increased costs in these areas in proportion to their size. The increased printing and postage costs for counties would be lower in election years with fewer ballot measures.

*Programming costs.* Counties are required to maintain electronic voting machines for the purpose of complying with the American with Disabilities Act (ADA). The formatting changes to ballot titles would require a one-time programming change to ensure that voting machines properly display ballot measures. Counties that have in-house programmers can likely absorb the extra staff time required to make the changes; counties that contract with outside programmers would likely incur increased costs to pay their contractors to make these changes to their electronic voting systems.

### **Departments Contacted**

Legislature

State