

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

**Drafting Number:** LLS 11-1040  
**Prime Sponsor(s):** Sen. Lambert  
 Rep. Joshi

**Date:** May 2, 2011  
**Bill Status:** Senate SVMA  
**Fiscal Analyst:** Alex Schatz (303-866-4375)

**TITLE:** SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION CONCERNING A REQUIREMENT THAT AN ELECTED PUBLIC OFFICER PROVIDE PROOF OF CITIZENSHIP BEFORE ENTERING UPON THE DUTIES OF OFFICE.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures		
FTE Position Change		
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.		
<b>Appropriation Summary for FY 2011-2012:</b> Upon voter approval at the 2012 general election.		
<b>Local Government Impact:</b> See Local Government Impact section.		

**Summary of Legislation**

This concurrent resolution refers a constitutional amendment to the voters at the 2012 general election. If approved by the voters, elected officials in the state must provide proof of citizenship along with their oath of office. State elected officials submit proof to the Secretary of State, and local elected officials submit proof to their county clerk. One of the following must be submitted as proof of citizenship:

- a U.S. passport or a legible photocopy of its relevant pages;
- a birth certificate or a legible photocopy of a birth certificate;
- naturalization information; or
- other documents accepted as proof of citizenship under federal law, including documents identified on the federal I-9 form.

An elected office is deemed vacant if the winning individual refuses or neglects to file proof of citizenship.

**State Expenditures and Local Government Impact**

The constitutional amendment is assessed as having no fiscal impact. While there is no statewide requirement that elected officials hold citizenship, the status of an elector, implying citizenship, is specified for most elected offices in the state; the fiscal note therefore assumes that candidates for elected office are United States citizens. To the extent that an elected official may nonetheless refuse or neglect to submit proof of citizenship, the constitutional amendment may trigger vacancies in office requiring a special election. The requirement to hold a special election (rather than filling the vacancy by appointment) and the associated costs will vary based on jurisdiction, based on its size, its resources, and the election timing (e.g., along with other issues that may defray costs). The fiscal note assumes that the likelihood of a special election is minimal.

**Election Expenditure Impacts (For Informational Purposes Only)**

The bill refers a measure to the voters at the November 2012 general election. This measure will be published in newspapers and an analysis of the measure will be included in the Blue Book mailed to all registered voter households prior to the election. Under current law, costs for these functions will be paid through a General Fund line item in the Long Appropriations Bill. Table 1 below identifies the anticipated costs for the 2012 Blue Book.

<b>Table 1. Cost to Produce and Distribute the 2012 Blue Book to All Registered Voter Households</b>	
Printing	\$400,000
Postage	\$450,000
Translation	\$20,000
Newspaper Publication (English & Spanish)	\$500,000
<b>Total Cost (14 issues)</b>	<b>\$1,370,000</b>
<b>Average Cost per Issue</b>	<b>\$97,857</b>

**Departments Contacted**

Judicial  
Governor's Office

Law  
State

Local Affairs  
Treasury