

STATE and LOCAL FISCAL IMPACT

Drafting Number: LLS 12-0317**Date:** February 10, 2012**Prime Sponsor(s):** Sen. Johnston
Rep. Coram**Bill Status:** Senate SVMA**Fiscal Analyst:** Kirk Mlinek (303-866-4782)

TITLE: CONCERNING REQUIREMENTS GOVERNING THE REGULAR MAINTENANCE OF VOTER REGISTRATION LISTS.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures		
Department of State Cash Fund	\$366,958	\$340,318
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2012-2013: See State Appropriations section.		
Local Government Impact:		

Summary of Legislation

The bill concerns requirements governing the regular maintenance of voter registration lists, specifically relating to elector status. Specifically, the bill does the following:

- transfers any registered elector whose registration record has been marked "Inactive - failed to vote" (I-FTV) to the status of an active elector;
- authorizes the Secretary of State (SOS) and county clerks and recorders to periodically conduct a national change of address search on all electors whose names appear in the statewide voter registration list, and to continuously update such records to incorporate new information discovered by the search;
- eliminates the term "Inactive" in favor of the term "Inactive - Returned Mail" to describe an elector's status;
- requires the SOS, not later than 60 days **after** each general, municipal, primary, and coordinated election, to conduct a national change of address search on all active and inactive electors using the national change of address database, and sets forth the communication process between the SOS and the county clerks and recorders that is to follow; and
- requires the SOS, at least 60 days **prior** to each general, municipal, primary, and coordinated election, using the national change of address database, to conduct a national change of address search on all electors whose name appears in the statewide voter registration database, and to transmit search data results to the appropriate clerk and recorder, and sets forth the communication process between the SOS and the county clerks and recorders that is to follow.

In addition, the bill deletes existing statutory provisions that confer the status of "Inactive - failed to vote" upon certain electors in connection with mail ballot elections. The status of a registered elector who was sent a mail ballot that is returned as undeliverable is changed from "Inactive - undeliverable" to "Inactive - returned mail." The clerk and recorder is required to mail a voter confirmation card to any elector whose ballot was returned by the United States Postal Service as undeliverable.

Further, the bill requires county clerks and recorders to restore permanent mail-in voter status for any eligible elector whose registration record has been marked as "Inactive - failed to vote," whose status has been changed to active, and who had previously selected permanent mail-in voter status. If a mail ballot sent to a registered elector is returned by the United States postal service as undeliverable, the bill also requires the clerk to mark the registration record of that elector with the words "Inactive - returned mail." Further, the clerk is required to mail a voter confirmation card to any elector whose ballot was returned by the United States postal service as undeliverable.

State Expenditures

Expenditures will increase in the Department of State **by \$366,958 in FY 2012-13 and \$340,318 in FY 2013-14**. The source of funds for these expenditures is the Department of State Cash Fund.

To comply with the provisions of the bill, the SOS will be required to make modifications to the Statewide Voter Registration System, commonly referred to as SCORE. Programming these changes will take a vendor 360 hours at a rate of \$74 per hour for total, one-time, programming costs of \$26,640.

Current law requires the SOS to reimburse counties for expenses related to statewide measures. Reclassifying the approximately 474,000 electors recorded as I-FTV to active elector status increases the amount of the reimbursement paid by the SOS to counties. The amount of reimbursement depends on the size of the county, with rates ranging from \$0.70 to \$0.80 per elector. Approximately 7 percent of electors (33,180 of the 474,000) are in counties that are reimbursed at the \$0.80 rate. The remaining 93 percent (440,820 of the 474,000) are reimbursed at the \$0.70 rate. Assuming one statewide ballot question each year, costs associated with the reclassification are estimated at \$335,118.

The SOS already performs four National Change of Address (NCOA) searches each year at a cost of \$2,600 each. The provisions of the bill will require two additional searches at a total cost of \$5,200. Table 1 summarizes expenditures under the bill.

Table 1. Expenditures Under SB12-109		
Cost Components	FY 2012-13	FY 2013-14
Modifications to SCORE	\$26,640	\$0
Increase in County Reimbursements due to I-FTV reclassification to active status	335,118	335,118
Conduct two additional NCOA checks	5,200	5,200
TOTAL	\$366,958	\$340,318

Local Government Impact

Clerks and recorders statewide will experience a savings in postage as a result of the bill. Provisions in the bill that require clerks and recorders to regularly query the NCOA will result in fewer undeliverable ballots being mailed, thereby reducing the amount of postal-based communication that follows. Statewide savings to counties are estimated at \$300,000.

Costs at the local level could increase as a result of the bill's requirement that permanent mail-in voter status be restored for those electors who had previously selected permanent mail-in status and who subsequently were categorized as I-FTV, and whose status changes under the provisions of the bill. This is assumed to be a labor intensive process. This fiscal note provides no estimate of these costs.

State Appropriations

For FY 2012-13, the Department of State requires an appropriation of \$366,958 from the Department of State Cash Fund.

Departments Contacted

State

Colorado Counties

Clerks and Recorders