

**STATE
FISCAL IMPACT**

Drafting Number: LLS 13-0548
Prime Sponsor(s): Rep. Saine
 Sen. Grantham

Date: January 28, 2013
Bill Status: House SVMA
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TITLE: CONCERNING THE DUTY OF THE SECRETARY OF STATE TO ELECTRONICALLY CANCEL THE VOTER REGISTRATION RECORD OF A PERSON ON THE COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST WHO IS NOT A UNITED STATES CITIZEN.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
State Expenditures		
Department of State Cash Fund	\$8,593	\$8,593
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2013-2014: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

The bill requires the Secretary of State (SOS) to coordinate with federal and state agencies to verify the citizenship of persons who are on the statewide computerized voter registration list. Upon learning that a person registered to vote is not a United States citizen, and after an administrative hearing has been conducted, the Secretary of State is required to electronically cancel the registration of such person.

State Expenditures

As discussed below, the bill increases the workload of several state agencies, and, in one case, also increases expenditures.

Department of State. The Secretary of State (SOS) will incur annual expenses of approximately \$8,593 in research, data analysis, printing, and mailing costs to implement the bill. These costs are comprised of 45 hours off staff time to query the Systematic Alien Verification for Entitlements Program (SAVE) database that is maintained by the U.S. Citizenship and Immigration Services in the federal Department of Homeland Security, and 30 hours of data analysis. The blended hourly rate for the staff who will complete this work is \$38.50, for a personal services cost

of \$2,888 (75 hours*\$38.50/hour). Postage costs are estimated at \$1,154; printing and supplies are estimated at \$2,051. These costs are predicated on the SOS's experience from a similar project that was undertaken last year. That effort resulted in 3,900 letters being sent to individuals whose citizenship status was in question. Of that number, 370 cases required follow-up. This fiscal note assumes that the SOS will check up to 2,500 newly registered voters through SAVE each year. It does not estimate the number of cases that will result in an administrative hearing, although the SOS will incur costs to prepare and attend each hearing, and for follow-up. Table 1 provides a summary of expenditures under the bill.

Table 1. Secretary of State Expenditures Under HB 13-1050		
Cost Components	FY 2013-14	FY 2014-15
Personal Services	\$2,888	\$2,888
FTE	0	0
Postage	1,154	1,154
Printing and Supplies	2,051	2,051
SAVE Queries (\$1 * 2,500 names)	2,500	2,500
TOTAL	\$8,593	\$8,593

Department of Revenue (DOR). The DOR's workload will increase and, depending on the requirements set forth by the Secretary of State, expenditures could also increase. The DOR accepts voter registration applications of persons registering to vote when applying for a drivers license or state identification card (motor voter law). The applicant provides self affirmation by signature or other mark that he or she 1) is a United States citizen; 2) will be 18 years of age on or before the next election date; and 3) has resided in Colorado for at least 30 days and in his or her present precinct at least 30 days before the election.

Under the bill, the DOR will provide this information directly to the SOS. The fiscal impact, if any, of this requirement will not be known until the SOS promulgates rules of procedure. If necessary, additional resources will be addressed through the annual budget process.

Personnel and Administration. Allowing recourse for a person who believes that his or her voting privileges have been erroneously canceled will increase the caseload for hearings in the Office of Administrative Courts in the Department of Personnel and Administration. The extent of this increase has not been estimated. If necessary, additional resources will be addressed through the annual budget process.

State Appropriations

For FY 2013-14, the Department of State requires an appropriation of \$8,593 from the Department of State Cash Fund.

Departments Contacted

Secretary of State

Personnel

Revenue

Departmental Difference

The Department of State reports that the requirements of the bill can be met within existing appropriations. While that may be the case for this particular bill, fiscal notes are prepared for all bills based on the assumption that current appropriations are only sufficient to meet the requirements of current law, and nothing more.