

**LOCAL  
FISCAL IMPACT**

**Drafting Number:** LLS 14-0610  
**Prime Sponsor(s):** Sen. Harvey

**Date:** January 23, 2014  
**Bill Status:** Senate SVMA  
**Fiscal Analyst:** Lauren Schreier (303-866-3523)

**SHORT TITLE:** CHALLENGES TO BALLOT CAST BY MAIL

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures		
FTE Position Change		
<b>Appropriation Required:</b> None.		

**Summary of Legislation**

The bill allows any individual, including an individual certified as a watcher under election law, to challenge a mail or mail-in ballot that has been cast. A challenge may be brought concerning:

- an elector's ability to vote on ballot measures or candidate races; and
- verification of the signature on the mail or mail-in ballot return envelope.

When an elector's vote is challenged, the election judge must forward the challenged ballot to two other election judges of different political party affiliations to review the issue in question. The bill specifies the potential outcomes of the review and the two election judges must reach the same conclusion. If both election judges find that the elector is not eligible to vote on a particular ballot measure or candidate race, those votes will be discarded and only legally cast votes will be counted. If both election judges find that the elector is not eligible to vote for any of the ballot measures or candidate races, the entire ballot is discarded and not counted. If both election judges find that the signature on the elector's ballot does not match the elector's signature in the statewide voter registration database, the judges must then follow the existing signature verification protocols. If both election judges find that the elector is in fact eligible to vote, all votes will be counted in the mail or mail-in ballot.

**Local Government Impact**

The bill may increase the cost of conducting elections for counties. These additional costs result from a likely increase in the number of challenged mail ballots and other changes in vote counting procedures. Specifically, these additional costs result from:

- conducting additional research into voter eligibility;
- increasing the number of watchers and signature verification staff;
- increasing room capacity and equipment;
- printing additional challenge forms and mailing notice forms to challenged electors; and
- assessing and counting valid votes on challenged ballots.

Eight counties submitted information on anticipated costs for this fiscal note, indicating a range of potential costs. Costs under the bill vary based on county size, current practices, existing election facilities, and other factors.

**Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

**State and Local Government Contacts**

Clerks            State