

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 14-0645
Prime Sponsor(s): Rep. Stephens

Date: February 24, 2014
Bill Status: House SVMA
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SHORT TITLE: CREATE VOTER OUTREACH THROUGH ENFRANCHISEMENT ACT

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures	\$142,812	
Cash Funds	125,023	
Centrally Appropriated Costs**	17,789	
FTE Position Change	1.8 FTE	
Appropriation Required: \$125,023 - Department of State (FY 2014-15)		

* This summary shows changes from current law under the bill for each fiscal year.

** These costs are not included in the bill's appropriation. See the State Expenditures section for more information.

Summary of Legislation

The bill makes changes to election and voter registration processes in Colorado. Key changes under the bill are highlighted below.

Mail ballot opt-out. Under current law, all eligible voters receive a mail in ballot. This bill allows voters to opt out of receiving a mail ballot by submitting a written request at least 60 days prior to the election. The Secretary of State will modify the voter registration forms accordingly.

Voter registration and residency requirements. Voters opting to vote in their prior residence cannot vote in their new place of residence during the election. The bill allows registered voters who move within the state during the 22 days before an election to vote in their former precinct.

Write-in vote tabulation. Under current law, designated election officials must tabulate all individual write-in votes for office. This bill removes that requirement unless at least 10 percent of the ballots cast contain a write-in vote or otherwise would affect the outcome of the election.

Voter service and polling centers. Under current law, all voter service and polling centers (voting centers) must be open for a minimum of 15 days prior to and including election day, with the exception of Sundays. The bill allows county clerks and recorders to reduce the hours or days that a center is open so long as at least one center is open for the minimum required period under current law. All voting centers must be open on election day. County clerks and recorders who wish to reduce the hours of operation or close centers must submit a request with the board of county commissioners and the Secretary of State. If the request is approved after a public hearing, county clerks and recorders will be responsible for making this known in the mail ballot plan they are required to file with the Secretary of State.

If a county clerk or recorder chooses to maintain more than the required minimum number of voting centers in the 15 day period prior to the election, the additional locations may count toward the number of stand-alone drop-off locations required.

Background

In 2013, HB 13-1303 was enacted and numerous changes to election and voter registration processes in Colorado were made. These changes included the following:

- reducing the time requirements for electors to obtain state residency and eliminating minimum precinct residency requirements;
- providing mail ballots to all requesting voters;
- streamlining the voter registration process;
- establishing voting center requirements and minimum standards;
- making enhancements to the SCORE statewide voter database, and;
- creating the Voter Access and Modernized Election Commission to oversee implementation.

State Revenue

To the extent that the bill increases costs in the Department of State beyond a level that can be met with existing revenue, business filing and other fees to the Department of State Cash Fund may need to be increased. The fee schedule for business filings and other services is set at the discretion of the Secretary of State; thus, the specific fees that may be adjusted or the potential amount of any potential fee increases cannot be estimated at this time.

State Expenditures

This bill will increase state cash fund expenditures in the Department of State by \$142,812 and 1.8 FTE in FY 2014-15. These are one-time costs paid from the Department of State Cash Fund.

Information technology costs. The bill requires the Department of State to make modifications to the statewide voter registration system. Under the bill, additional voter information, such as voter moving date will need to be captured. The Department of State must also make changes to track voters who have opted out of receiving mail ballots. This work will be conducted with in-house staff, rather than outsourced information technology contractors.

Printing and Postage Costs. The department will be required to update and print new voter registration forms at a cost of \$17,034 in FY 2014-15. These forms are distributed to counties, libraries, voter registration drives, and other organizations.

Table 1. Expenditures Under HB 14-1043*		
Cost Components	FY 2014-15	FY 2015-16
Personal Services	\$97,699	
FTE	1.8 FTE	
Operating Expenses and Capital Outlay Costs	\$9,890	
Printing and Postage	\$17,434	
Centrally Appropriated Costs*	\$17,789	
TOTAL	\$142,812	

* Centrally appropriated costs are not included in the bill's appropriation.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated in the fiscal note for informational purposes and summarized in Table 2.

Table 2. Centrally Appropriated Costs Under HB 14-1043*		
Cost Components	FY 2014-15	FY 2015-16
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$11,004	
Supplemental Employee Retirement Payments	\$6,785	
TOTAL	\$17,789	

*More information is available at: <http://colorado.gov/fiscalnotes>

Local Government Impact

Eight counties were surveyed, indicating a range of potential costs and savings under the bill. Potential costs and workload for county clerks include verifying voter requests concerning residency and moving date. The bill will likely increase the number of provisional ballots used by voters, which are more costly for counties than traditional ballots.

If a larger number of voters opt out of mail ballots, county clerks may have savings for mailing, printing, and postage of mail ballots. More voters opting out of mail ballots may also increase the number of voting centers needed during elections, which could increase costs for counties. Depending on the number of persons opting out of mail ballots, potential savings could be offset by higher costs to operate additional voting centers, including staffing, supplies, space, and voting equipment.

Effective Date

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

State and Local Government Contacts

Clerks
Municipal

State
Law

Counties