

Secretary of State must immediately provide the LCS and OLLS with a copy of each measure properly submitted to the title board and the proponents' fiscal impact estimate, if the estimate was amended.

The bill permits proponents or any registered elector who is not satisfied with the fiscal impact statement abstract to file a motion for a rehearing with the Secretary of State within seven days of the titles and submission clause being set. If the motion claims that an estimate in the abstract is incorrect, the motion must include documentation supporting a different estimate. If the motion specifies that particular language in the abstract is misleading or prejudicial, the motion must specifically identify the wording that is being challenged.

Background

Current law requires the LCS to prepare fiscal impact statements for ballot measures as part of its Blue Book analysis. The Blue Book is the official voter guide for statewide ballot measures and includes a summary and analysis of each ballot measure, an estimate of its fiscal impact and a description of the arguments for and against a measure. It is distributed to all registered voter households about one month prior to election day. Under current law, ballot initiative proponents generally do not submit a fiscal impact estimate of their measure.

State Expenditures

The bill increase expenditures in some state agencies. For the LCS by \$22,255 in FY 2015-16 and \$22,404 in FY 2016-17. Table 1 summarizes expenditures under the bill.

Cost Components	FY 2015-16	FY 2016-17
Personal Services	\$18,414	\$18,414
FTE	0.3 FTE	0.3 FTE
Centrally Appropriated Costs*	\$3,841	\$3,990
TOTAL	\$22,255	\$22,404

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

Assumptions. This fiscal note assumes that the title board will consider about 40 ballot initiatives per year, or roughly the same number that it considered over the past seven years. The fiscal note also assumes that each new ballot initiative fiscal impact statement will require about 14 hours of staff time, including research, drafting, editing, presenting the abstract to interested parties, and final review.

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 15-1057*		
Cost Components	FY 2015-16	FY 2016-17
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$2,414	\$2,414
Supplemental Employee Retirement Payments	\$1,427	\$1,576
TOTAL	\$3,841	\$3,990

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

Department of Law. The bill increases workload in the Department of Law by a minimal amount. The Department of Law may be required to consider any motions filed against the initial fiscal impact statement prepared by the LCS. However, this fiscal note assumes that the potential number of motions filed is small and can be addressed within existing resources and any necessary increase in appropriations will be addressed through the annual budget process.

Secretary of State. The bill increases workload for the Secretary of State by a minimal amount. The Secretary of State may be required to consider any motions filed against the initial fiscal impact statement prepared by the LCS. The Secretary of State may have a minimal increase in the number of lobbyists registering. However, this fiscal note assumes that the potential number of motions filed is small and can be addressed within existing resources.

Effective Date

The bill was signed into law by the Governor on May 18, 2015, and takes effect March 26, 2016, assuming no referendum petition is filed.

State Appropriations

The bill requires an appropriation of \$18,414 in FY 2015-16 to the Legislative Department for allocation to the LCS.

State and Local Government Contacts

State
Office of Legislative Legal Services
Law
Local Affairs

Legislative Council Staff
Judicial
Office of State Planning and Budgeting