

Colorado Legislative Council Staff Fiscal Note

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 15-0472
Prime Sponsor(s): Rep. Moreno

Date: April 21, 2015
Bill Status: House SVMA
Fiscal Analyst: Lauren Schreier (303-866-3523)

BILL TOPIC: SELECTION OF CANDIDATES BY PRIMARY ELECTIONS

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue	up to \$439,467	
Cash Funds	up to \$439,467	
State Expenditures	\$439,467	
Cash Funds	\$438,227	
Centrally Appropriated Costs**	\$1,240	
TABOR Set Aside	up to \$439,467	
FTE Position Change	0.1 FTE	
Appropriation Required: \$438,227 - Department of State (FY 2015-16).		

* 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 numerous changes concerning voters and political parties in primary elections. The bill permits an unaffiliated elector to vote in the primary election of a major political party without affiliating with that political party. An unaffiliated eligible elector may, but is not required to, declare a political party affiliation when an elector wishes to vote in a primary election. The bill requires that all political parties in the primary election place their candidates on a single combined ballot to be used by unaffiliated electors that contains the names of all candidates from all political parties. Names and political affiliations of candidates must be clearly and conspicuously segregated. The bill also permits a political party to change from the nomination of candidates by primary election to the nomination of candidates by convention for all offices. The bill also permits a minor political party to prohibit unaffiliated voters from voting in the party's primary election. A minor political party must inform the Secretary of State of the prohibition prior to the primary election.

The bill requires that the notice mailed to voters in advance of a mail ballot primary election advise eligible electors who are not affiliated with a political party of their ability to vote in the primary election of any one political party. The bill also allows for the cancellation of a party primary election if there are no contested races on the ballot.

State Revenue

The bill increases costs in the Department of State which may necessitate an increase in business filing and other fees to the Department of State Cash Fund if sufficient funds are not available to cover the costs of the bill. 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

The bill increases costs in the Department of State by \$439,467 and 0.1 FTE in FY 2015-16. These costs are outlined in Table 1 and discussed below.

Table 1. Expenditures Under HB 15-1354		
Cost Components	FY 2015-16	FY 2016-17
Personal Services	\$5,627	
FTE	0.1 FTE	
SCORE System Programming	\$432,600	
Centrally Appropriated Costs*	\$1,240	
TOTAL	\$439,467	\$0

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

Staffing. In FY 2015-16 the bill requires \$5,627 and 0.1 FTE in additional staffing. The staff will be responsible for reviewing, analyzing, drafting recommendations, and overseeing the implementation of necessary changes to the Statewide Voter Registration System (SCORE) to comply with the bill.

SCORE system programming. In FY 2015-16, the bill requires \$432,600 in one-time programming changes to the SCORE system. These changes will include a redesign of ballot data collection in the SCORE system. The system will also require programming changes that include a new certification for primary elections, changes to the abstract and modifications to how candidates get placed on the general election ballot.

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 15-1354*		
Cost Components	FY 2015-16	FY 2016-17
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$804	
Supplemental Employee Retirement Payments	\$436	
TOTAL	\$1,240	

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

Local Government Impact

The bill will increase costs for local governments. Local governments will incur costs related to redesigning the primary ballot to include a version for unaffiliated electors. Local governments will also incur costs related to mailing notices of upcoming primary elections to all active unaffiliated electors in the county. These costs may potentially be offset by some cost savings if counties are able to cancel uncontested primary elections for a major political party.

If a party primary election is cancelled, savings to the counties depend on a number of factors, including the manner in which the election would have been conducted in that county, the population of the county, and the distribution of party registrations in the county. For example, if a large county that conducts a mail ballot election cancelled the primary election of a large political party in that county, it would result in savings of more than \$215,000 from reduced printing, posting, and ballot processing costs.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

State Appropriations

In FY 2015-16, the bill requires an appropriation of \$439,467 from the Department of State Cash Fund to the Department of State.

State and Local Government Contacts

State	Counties	County Clerks and Recorders
-------	----------	-----------------------------