



**Colorado  
Legislative  
Council  
Staff**

**HB16-1442**

**FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-1162  
**Prime Sponsor(s):** Rep. Ryden  
Sen. Ulibarri

**Date:** April 15, 2016  
**Bill Status:** House SVMA  
**Fiscal Analyst:** Chris Creighton (303-866-5834)

**BILL TOPIC:** VARIOUS UPDATES TO LOCAL GOVERNMENT ELECTION CODE

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Minimal workload increase.	
Appropriation Required: None.		
Future Year Impacts: None.		

**Summary of Legislation**

This bill makes various updates to the Colorado Local Government Election Code, which governs nonpartisan special district elections that are not coordinated by a county clerk. Among its provisions, this bill:

- clarifies the commencement date for a nonpartisan officers term who is elected at regular election;
- defines the term affidavit;
- allows the self-nomination letter and acceptance form to be accepted by the designated election official until close of business on the 67th day before an election;
- prohibits a current director candidate or a first or second degree family member of a candidate's immediate family from serving as an election judge or watcher;
- allows for the recertification of a ballot by the designated election official under certain conditions;
- eliminates the requirement that a duplicate stub be placed on a ballot that is prepared for an independent mail ballot election.
- changes the deadline that an application for an absentee voter's ballot must be filed from the Friday immediately before the special district election to the Tuesday before the election;
- makes the secretary of the local government responsible for processing applications for permanent absentee status if there is no designated election official;
- clarifies that the designated local government election official must mail a ballot to every eligible elector of the local government that resides within the boundaries of the local government under the Uniform Military and Overseas Voter Act;
- eliminates the requirement that the mail ballot return envelope contains a flap to cover the voters signature; and
- clarifies the procedures for the recall of special district directors

**Background**

House Bill 14-1164 created the Local Government Election Code to govern the conduct of nonpartisan special district elections that are not coordinated by a county clerk. The Local Government Election Code does not apply to counties, municipalities, regional transportation districts, or school districts.

**State Expenditures**

For FY 2016-17, this bill increases workload in the Department of Local Affairs to update local government election manuals and other election-related documents. This workload increase is expected to be minimal and can be accomplished within existing appropriations.

**Local Government Impact**

This bill impacts special district costs and workload in several ways. First, workload increases to update election processes and procedures. This could result in additional printing costs, if any election documentation needs to be reprinted to reflect the changes made by this bill. Second, by eliminating the duplicate stub that is currently required, ballot costs are reduced. Third, return envelope costs are decreased by eliminating the requirement to have a flap that covers the signature. Fourth, if it is determined that the special district ballot needs to be recertified, workload and costs increase as part of the recertification process.

**Effective Date**

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed. It applies to all elections conducted on or after the effective date.

**State and Local Government Contacts**

Counties  
Local Affairs  
Special Districts

County Clerks  
Revenue

Information Technology  
Secretary of State