



**Colorado  
Legislative  
Council  
Staff**

**SCR16-001**

**FISCAL NOTE**

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

**Drafting Number:** LLS 16-0215  
**Prime Sponsor(s):** Sen. Steadman

**Date:** April 15, 2016  
**Bill Status:** Senate SVMA  
**Fiscal Analyst:** Anna Gerstle (303-866-4375)

**BILL TOPIC:** REPEALING OBSOLETE CONSTITUTIONAL PROVISIONS

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	See State Expenditures Section.	
Appropriation Required: None.		
Future Year Impacts: None.		

**Summary of Legislation**

This bill refers a ballot question to voters in the November, 2016 election that, if passed, would repeal several provisions in the Colorado Constitution deemed obsolete as a result of being found unconstitutional by the courts. The bill includes the repeal of:

- the "previous participation requirement" related to recall elections in Article XXI;
- language in Article XXVIII that prohibits expenditures that expressly advocate for the election of a candidate and that prohibits corporations or labor unions from providing funding for electioneering communication;
- four definitions that appear in Section 2 of Article XXVIII;
- Sections 15, 16, and 17 of Article XXVIII, which deal with sole source government contracts;
- Section 30b of Article II, which prohibits the state from establishing protected status based on homosexual, lesbian, or bisexual orientation; and
- Section 31 of Article II, which states that only a marriage between one man and one woman is recognized as valid by the state.

**State Expenditures**

**Election expenditure impact (existing appropriations).** The bill includes a referred measure that will appear before voters at the November 2016 general election. Although no additional appropriation is required in this bill to cover election costs associated with this ballot

measure, certain election costs to the state are appropriated as part of the regular budget process. First, state law requires that the state reimburse counties for costs incurred conducting a ballot measure election, paid from the Department of State Cash Fund. Second, the text and title of the measure must be published in one legal newspaper per county and an analysis of the measure must be included in the Ballot Information Booklet (Blue Book) mailed to all registered voter households prior to the election paid from the Ballot Analysis Revolving Fund. As of this writing, there will be at least one citizen-initiated measure on the ballot at the 2016 election, which will trigger the ballot costs shown in Table 1 below for a single ballot measure. Costs in 2016 will increase by approximately \$100,000 per measure beyond this base amount for any additional referred or initiated measures placed on the ballot.

<b>Cost Component</b>	<b>Amount</b>
County Reimbursement for Statewide Ballot Measures	\$2,400,000
Ballot Information Booklet (Blue Book) & Newspaper Publication	\$670,000
<b>TOTAL</b>	<b>\$3,070,000</b>

### Effective Date

The concurrent resolution takes effect after the date of the official declaration of the vote by proclamation of the Governor, not later than 30 days after the votes have been canvassed.

### State and Local Government Contacts

Counties	Judicial	Law
Municipalities	Secretary of State	