



**Colorado
Legislative
Council
Staff**

SB17-138

FISCAL NOTE

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

Drafting Number: LLS 17-0530
Prime Sponsor(s): Sen. Tate
Rep. Foote

Date: February 10, 2017
Bill Status: Senate SVMA
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BILL TOPIC: ELECTION WATCHERS

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue Cash Funds	Minimal increase.	
State Expenditures		
TABOR Impact	Minimal increase.	
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal revenue increase.		

Summary of Legislation

This bill authorizes each political party participating in a primary election to have at least one election watcher in each voter service and polling center (vote center). For general elections, this bill authorizes the registered agent of an issue committee to appoint one or more election watchers. For non-partisan elections, candidates and proponents and opponents of ballot issues are authorized to appoint one or more election watchers in every county. Under current law, only one election watcher is allowed in each of these circumstances. For each of these elections, the names of the election watchers must be submitted no later than the Wednesday prior to the vote centers opening.

This bill also specifies the procedure that must be followed if an election watcher sees a potential discrepancy. Additionally, county clerks are authorized to request a name-based criminal history background check of any election watcher using the website maintained by the Colorado Bureau of Investigation. Lastly, this bill prohibits the sale, disclosure, or release of a photocopied or microfilmed image of a voters' signature.

Background

Election watchers monitor various aspects of the election process starting before to the polls open, through the vote count and announcement of the election results. Election watchers must be eligible electors and may be appointed by political parties, candidates, issue committees, and the registered proponents and opponents of ballot measures.

State Revenue

This bill minimally increases state cash fund revenue from fees. To cover costs, the Colorado Bureau of Investigation in the Department of Public Safety charges \$6.85 for each online name-based background check. This fee will be charged to each clerk that chooses to run an online background check. Currently, clerks run such background checks on election judges, but not election watchers. Because this background check is optional, it is unknown how many online background checks will be requested. Any increase in revenue is expected to be minimal. Fees are deposited into the Colorado Bureau of Investigation Identification Unit Cash Fund.

TABOR Impact

This bill increases state revenue from fees by a minimal amount, which will increase the amount of money required to be refunded under TABOR for FY 2017-18 and FY2018-19. TABOR refunds are paid out of the General Fund. Since the bill increases the TABOR refund obligation without a corresponding change in General Fund revenue, the amount of money available in the General Fund for the budget will decrease by an identical amount.

Local Government Impact

This bill increases costs for counties that choose to run online background checks on election watchers. The fee each background check is \$6.85. It is unknown how many background checks will be run and by which counties.

Effective Date

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed. It applies to elections conducted on or after the effective date.

State and Local Government Contacts

Clerks
Public Safety

Counties
Secretary of State

Information Technology