



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 18-1181

**FINAL
FISCAL NOTE**

Drafting Number:	LLS 18-0470	Date:	July 20, 2018
Prime Sponsors:	Rep. Liston Sen. Tate	Bill Status:	Vetoed by Governor
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Bill Topic: NONRESIDENT ELECTORS AND SPECIAL DISTRICTS

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>)	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill would have allowed a special district to permit individuals who own property in a special district, but do not reside in Colorado, to vote in the special district's election. It would have increased state and local government workload on an ongoing basis.

**Appropriation
Summary:** No appropriation is required.

**Fiscal Note
Status:** The fiscal note reflects the enrolled bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

Under current law, a person may only vote in a special district election if he or she is a registered Colorado voter and is either a resident of the special district or owns property within the district. This bill expands the definition of eligible elector and allows a special district, upon passage of a resolution, to permit individuals who do not reside in Colorado to vote in the special district's election if they own property within the district. The bill specifies the registration process for special districts to register non-resident electors and requires the voter to sign an affirmation confirming they are eligible to vote in the election. Voters who are eligible to vote in special district elections but are not residents of the state are only permitted to vote for board members, and may not vote for any other candidates, ballot issues, or ballot questions in the district.

This bill also allows special district boards to select additional non-voting board members by a majority vote. These board members must not reside in the state, but be eligible to vote in the special district. A board with three members may appoint one non-voting members, and a board with five members may appoint no more than two non-voting members.

State Expenditures

Beginning in FY 2018-19, this bill will increase workload for the Department of Local Affairs to modify forms and instructional information for special districts. This workload is expected to be minimal and can be accomplished within existing appropriations.

Local Government

Under current law, designated election officials maintain a voter list to track eligible electors in a special district. In the special districts that allow non-resident voters to vote, this bill will increase workload for election officials to create and maintain a list of the non-resident voters. Costs for these districts will also increase to create, print, and mail a separate ballot for non-resident voters. These costs will vary depending on the size of the special district, number of non-resident voters registering, and the frequency of contested elections held by the special district.

To the extent that special districts choose to add non-voting members to their board of directors, costs may increase if the special district reimburses board members for expenses or compensates them for their service.

Effective Date

The bill was vetoed by the Governor on June 1, 2018.

State and Local Government Contacts

Counties	County Clerks	Local Affairs
Municipalities	Secretary of State	Special Districts