



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# FINAL FISCAL NOTE

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<b>Drafting Number:</b>	LLS 18-0042	<b>Date:</b>	June 25, 2018
<b>Prime Sponsors:</b>	Sen. Grantham Rep. Lundeen	<b>Bill Status:</b>	Postponed Indefinitely
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**Bill Topic:** SENATE STATE OFFICE NOMINEE REJECTION EFFECTS

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**Summary of Fiscal Impact:** **No Fiscal Impact.** This bill clarified the procedures following a Senate rejection of a Governor's nominee. This bill may have moved or delayed work within state agencies but was not expected to impact revenue or expenditures for any state agency.

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

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

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### Summary of Legislation

This bill specifies that when the Senate rejects a Governor's nominee for state office, that individual is deemed "legally unfit" and the Governor cannot nominate the rejected individual to the same office for a second time. If a nominee is rejected for reappointment, the individual is removed from office once his or her term is up and cannot exercise the duties of the office, even if a replacement has not been named. The rejected individual is eligible to be nominated or reappointed when a new Senate convenes for its first regular session and can be appointed to the office following the day when the new Senate adjourns its first regular session.

### Background

Under Section 1 of Article XII of the Colorado Constitution, any person who holds a civil office, under the state or any municipality, will exercise the duties of the office until a "successor is duly qualified," unless they are removed according to the law. Since 2013, the Senate has rejected one Governor's appointment.

### Assessment of No Fiscal Impact

This bill has the potential to delay or adjust workload within state agencies, if a vacancy is not filled. Based on past data, this fiscal note assumes that vacancies as a result of this bill will be minimal and will not affect any state agency's revenue or expenditures.

**Effective Date**

The bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on May 3, 2018.

**State and Local Government Contacts**

All State Agencies