



Legislative Council Staff

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FINAL FISCAL NOTE

Drafting Number: LLS 18-0790 Date: August 3, 2018
Prime Sponsors: Sen. Marble; Fenberg Bill Status: Signed into Law
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Bill Topic: ELECTIONS CLEAN-UP

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill makes modifications to the Uniform Election Code of 1992. This bill increases state costs in FY 2018-19 only, and will decrease costs for local governments starting in FY 2018-19 on an ongoing basis.

Appropriation Summary: For FY 2018-19, this bill requires an appropriation of \$63,000 to the Department of State, which is reappropriated to the Department of Revenue.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Table 1 State Fiscal Impacts under SB 18-233

Table with 4 columns: Category, FY 2018-19, FY 2019-20. Rows include Revenue, Expenditures (Cash Funds), Transfers, and TABOR Refund.

Summary of Legislation

This bill makes technical modifications to various provisions of the Uniform Election Code of 1992.

Related to **voter registration and affiliation**, the bill:

- clarifies voter registration requirements for persons experiencing homelessness and persons who are awaiting trial or serving a sentence for something other than a felony conviction;
- makes changes to facilitate the registration of electors at a driver license examination facility, and requires county clerk and recorders to send a notice when a voter changes his or her name or address to verify that the information is correct;
- requires the Department of State (DOS) to regularly provide the Department of Revenue (DOR) with current voter registration information to determine whether an individual is registered to vote when obtaining or renewing a license or identification card;
- specifies that a declaration or change of party affiliation made by an unaffiliated elector must be deferred if they have already been mailed a primary election ballot packet; and
- prohibits an unaffiliated elector from signing a petition for a candidate of a major political party.

Related to the **election process**, the bill:

- requires the state central committee of each major political party to provide information concerning the membership and bylaws or rules of the county central committees of the party;
- prohibits a write-in vote for president unless it also includes a write-in vote for vice-president;
- removes language requiring election judges to certify that they reside in a political subdivision;
- requires supervisor judges to have different political party affiliations if more than one judge is supervising at a voter service and polling center (VSPC);
- repeals provisions governing the process for applying for an absentee ballot, and clarifies that if the declaration accompanying a federal write-in absentee ballot is received after the election, it is treated as an application to register to vote in subsequent elections;
- changes the manner for calculating the number of signatures required for a petition to recall a School District Director; and
- eliminates the requirement that a secrecy sleeve be included in a mail ballot packet.

The bill **modifies deadlines** for:

- voter registration in advance of a political party caucus, assembly, or convention;
- the training and certification of election judges;
- filing comments pertaining to a ballot issues and referred ballot measures;
- designated election official's (DEO) to complete certain tasks;
- the completion of certain duties by the canvass board;
- the transmission of the abstract of votes, and the compilation and total of election returns;

- vote recounts in a coordinated election;
- notarized written request for a recount; and
- a signer to request that his or her name be stricken from a recall petition.

Additionally, the bill removes certain obsolete provisions of statute and makes various technical changes to align statute with current practices.

Background

Under current law, the Department of Revenue transmits data files to the Department of State containing relevant voter registration information when people register to vote when getting a driver license or state ID. The Department of State uses the data to complete voter registration or make changes to voter records.

State Expenditures

In FY 2018-19 only, the DOR will have a one-time increase in costs of \$63,000 to modify the DRIVES system. The bill requires the Department of State to send voter registration information to the Department of Revenue. Under current law, data is transmitted from the Department of Revenue to the Department of State, however, information is not currently transferred the other way. DRIVES will require modifications to interface with the Department of State and allow the system to facilitate the transfer. It is estimated that this will require 280 hours of programming at \$225 per hour. It is assumed that this project will be conducted in FY 2018-19. The bill requires the Department of State to reimburse the Department of Revenue for this cost.

Local Government

Beginning in the current FY 2017-18, this bill will both increase and decrease costs and workload counties and municipalities, as explain below.

This bill will increase costs for counties to mail voters a confirmation of a name or address change, as required by the bill. Additionally, the bill eliminates the requirement that a secrecy sleeve be included in a mail ballot packet, and this may reduce statewide costs for counties by up to \$100,000. This bill will also increase workload for municipalities to revise charters or codes to reflect new deadlines in the bill for coordinated elections.

State Appropriations

For FY 2018-19, this bill requires a cash fund appropriation of \$63,000 from the Department of State Cash Fund to the Department of State, which is reappropriated to the Department of Revenue.

Effective Date

The bill was signed into law by the Governor and took effect May 29, 2018, except that Section 26 became effective on July 1, 2018. It applies to elections conducted on or after the effective date.

State and Local Government Contacts

Counties
Local Affairs
Revenue

County Clerks
Municipalities
Secretary of State

Information Technology
Personnel