



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

HB 19-1108

# FINAL FISCAL NOTE

**Drafting Number:** LLS 19-0516  
**Prime Sponsors:** Rep. Liston; Hooton  
Sen. Tate

**Date:** September 4, 2019  
**Bill Status:** Postponed Indefinitely  
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**Bill Topic:** NONRESIDENT ELECTORS & 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 expanded the definition of eligible elector and allowed individuals who do not reside in Colorado to vote in a special district election if they own property within the district. It would have increased state and local government workload on an ongoing basis.

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

**Fiscal Note Status:** The fiscal note reflects the introduced 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 the person or his or her spouse owns property within the district. This bill would have expanded 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 specified the registration process for special districts to register non-Colorado 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 would have been 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 would also have allowed special district boards to select additional non-voting board members by a majority vote. These board members cannot reside in the state, but must be eligible to vote in the special district. A board with three members may appoint one non-voting member, and a board with five members would have been permitted to appoint no more than two non-voting members.

**State Expenditures**

Beginning in FY 2019-20, this bill would have increased workload for the Department of Local Affairs to modify forms and instructional information for special districts. This workload was expected to be minimal and would have been accomplished within existing appropriations.

**Local Government**

Under current law, the designated election officials for a special district maintains a voter list to track eligible electors in the special district. This bill would have increased workload for election officials to create and update a list of non-resident voters. Costs would also have increased to create, print, and mail a separate ballot for non-resident voters. These costs would have varied 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, and have not been estimated.

To the extent that special districts had chosen to add non-voting members to their board of directors, costs would have increased if the special district reimbursed non-voting board members for expenses or compensates them for their service.

**Effective Date**

This bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on March 6, 2019.

**State and Local Government Contacts**

Counties  
Municipalities

County Clerks  
Secretary of State

Local Affairs  
Special Districts