



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SCR 20B-001

FISCAL NOTE

Drafting Number: LLS 20B-0011
Prime Sponsors: Sen. Lundeen
Rep. McKean

Date: November 30, 2020
Bill Status: Senate Finance
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Bill Topic: LEGISLATIVE OVERSIGHT OF GOVERNOR EMERGENCY POWERS

**Summary of
Fiscal Impact:**

- State Revenue
- State Expenditure (*Conditional*)
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

This concurrent resolution refers a measure to voters to amend the Colorado Constitution to limit a state of disaster emergency declared by the Governor to 30 consecutive calendar days.

**Appropriation
Summary:**

No appropriation is required.

**Fiscal Note
Status:**

The fiscal note reflects the introduced resolution.

Summary of Legislation

This concurrent resolution refers a constitutional measure to voters at the November 2022 election to limit a state of disaster emergency declared by the Governor to 30 days. Within 30 days after the Governor's disaster declaration, the General Assembly may extend a state of disaster emergency by adopting a joint resolution approved by at least two-thirds of each house. If the legislature is not in session, the Governor may convene a special legislative session to address extending a disaster emergency.

The measure requires at least 55 percent of the voters voting affirmatively for the amendment to become part of the Colorado Constitution.

Background

Under current law, the Governor is authorized to declare a state of disaster emergency by executive order or proclamation if he finds a disaster has occurred or that a threat of a disaster is imminent. A state of disaster emergency is limited to 30 days, but can be renewed by the Governor. The General Assembly may terminate a state of disaster emergency at any time by joint resolution after which the Governor must issue an executive order or proclamation ending a state of disaster emergency.

State Expenditures

If the measure is approved by voters and if the Governor convenes a special session to extend a state of disaster emergency, state General Fund expenditures will increase. Funds for special sessions are included annually in legislative appropriations. The concurrent resolution will impact election costs, as described below.

Election expenditure impact — existing appropriations. This concurrent resolution includes a referred measure that will appear before voters at the November 2022 general election. While no additional appropriation is required, certain election costs are incurred by the state when ballot measures are referred. These include reimbursing counties for increased election costs, publishing the text and title of the measure in newspapers across the state, and preparing and mailing the statewide voter guide.

Effective Date

The measure takes effect after the date of the official declaration of the vote by proclamation of the Governor, no later than 30 days after the votes have been canvassed.

State and Local Government Contacts

Governor Legislative Council Staff