

## CHAPTER 90

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**ELECTIONS**


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**SENATE BILL 01-025**

BY SENATOR(S) Dyer (Arapahoe), Andrews, Arnold, Dyer (Durango), Hillman, Lamborn, May, Musgrave, and Nichol;  
also REPRESENTATIVE(S) Stengel, Boyd, Cloer, Crane, Daniel, Dean, Fairbank, Garcia, Kester, King, Larson, Lawrence, Mace,  
Marshall, Plant, Rhodes, Rippy, Romanoff, Saliman, Schultheis, Spradley, Webster, S. Williams, Witwer, and Young.

**AN ACT**

CONCERNING FISCAL IMPACT STATEMENTS INCLUDED IN THE BALLOT INFORMATION BOOKLET FOR INITIATED OR REFERRED MEASURES.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 1-40-124.5 (1), Colorado Revised Statutes, is amended to read:

**1-40-124.5. Ballot information booklet.** (1) (a) The director of research of the legislative council of the general assembly shall prepare a ballot information booklet for any initiated or referred constitutional amendment or legislation, including a question, as defined in section 1-41-102 (3), in accordance with section 1 (7.5) of article V of the state constitution. ~~If it appears that any measure has a significant fiscal impact on the state or any of its political subdivisions;~~

(b) ~~The booklet shall include an estimate of the~~ DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY SHALL PREPARE A fiscal impact ~~of such~~ STATEMENT FOR EVERY INITIATED OR REFERRED measure, taking into consideration fiscal impact information submitted by the office of state planning and budgeting, the department of local affairs OR ANY OTHER STATE AGENCY, AND any proponent or other interested person. THE FISCAL IMPACT STATEMENT PREPARED FOR EVERY MEASURE SHALL BE SUBSTANTIALLY SIMILAR IN FORM AND CONTENT TO THE FISCAL NOTES PROVIDED BY THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY FOR LEGISLATIVE MEASURES PURSUANT TO SECTION 2-2-322, C.R.S. A COMPLETE COPY OF THE FISCAL IMPACT STATEMENT FOR SUCH MEASURE SHALL BE AVAILABLE THROUGH THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY. THE BALLOT INFORMATION BOOKLET SHALL INDICATE WHETHER THERE IS A FISCAL IMPACT FOR EACH INITIATED OR REFERRED MEASURE AND SHALL ABSTRACT THE FISCAL IMPACT STATEMENT FOR SUCH MEASURE. THE ABSTRACT FOR EVERY MEASURE SHALL APPEAR

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

AFTER THE ARGUMENTS FOR AND AGAINST SUCH MEASURE IN THE ANALYSIS SECTION OF THE BALLOT INFORMATION BOOKLET, AND SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO:

(I) AN ESTIMATE OF THE EFFECT THE MEASURE WILL HAVE ON STATE AND LOCAL GOVERNMENT REVENUES, EXPENDITURES, TAXES, AND FISCAL LIABILITIES IF SUCH MEASURE IS ENACTED;

(II) AN ESTIMATE OF THE AMOUNT OF ANY STATE AND LOCAL GOVERNMENT RECURRING EXPENDITURES OR FISCAL LIABILITIES IF SUCH MEASURE IS ENACTED; AND

(III) FOR ANY INITIATED OR REFERRED MEASURE THAT MODIFIES THE STATE TAX LAWS, AN ESTIMATE OF THE IMPACT TO THE AVERAGE TAXPAYER, IF FEASIBLE, IF SUCH MEASURE IS ENACTED.

(c) Prior to completion of the booklet, a draft shall be reviewed by the legislative council at a public hearing held after notice. At the hearing, any proponent or other interested person shall be allowed to comment on the accuracy or fairness of the analysis of any ballot issue addressed by the booklet.

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 28, 2001