



**Colorado
Legislative
Council
Staff**

**Amendment Y
FISCAL IMPACT
STATEMENT**

Date: August 20, 2018

Fiscal Analyst: Ryan Long (303-866-2066)

BALLOT TITLE: CONGRESSIONAL REDISTRICTING

Fiscal Impact Summary	FY 2018-19	FY 2020-21	FY 2021-2022
State Revenue		Minimal increase.	
State Expenditures		\$31,479	\$642,745
General Fund		(60,550)	642,745
Cash Funds		92,029	0

Summary of Measure

Amendment Y creates the 12-member Independent Congressional Redistricting Commission, with the membership of the commission equally divided between representatives of unaffiliated voters and members from each of the state's two largest parties. The commission will amend and approve congressional district maps drawn by nonpartisan legislative staff. Amendment Y establishes a process for selecting commissioners, new requirements for transparency and ethics, and a procedure for judicial review of commission maps. It also establishes and prioritizes the criteria the commission must use for adopting the state's U.S. congressional district map.

Amendment Z, which is also on the 2018 ballot, proposes a similar but separate process for state legislative redistricting.

State Revenue

Beginning in FY 2020-21, Amendment Y will minimally increase Department of State cash fund revenue for fines collected from lobbyists who fail to disclose required information. It is assumed that there will be high compliance with these requirements, and the actual issuance and collection of fines will be low.

State Expenditures

Based on the estimated cost of congressional redistricting under current law, Amendment Y is expected to decrease Legislative Department General Fund expenditures by \$60,550 in FY 2020-21 and increase expenditures by \$642,745 in FY 2021-22. Department of State cash fund expenditures are expected to increase \$92,029 in FY 2021-22 only. These impacts are shown in Table 1 and described below.

Table 1. Expenditures Under Amendment Y			
Cost Components	FY 2018-19	FY 2020-21	FY 2021-22
Legislative Department Subtotal		(\$60,550)	\$642,745
Personal Services		(\$14,046)	\$226,595
FTE		0.2 FTE	2.3 FTE
Operating Expenses and Capital Outlay Costs		17,019	5,058
Computer Equipment, Software, and Website		22,000	39,000
Professional Services/Legal Services		(77,634)	155,268
Travel and Per Diem		(29,004)	147,598
Employee Benefits and Leased Space		21,115	69,226
Department of State Subtotal		\$92,029	
Personal Services		\$17,142	
FTE		0.2 FTE	
Computer Programming		71,680	
Employee Benefits and Leased Space		3,207	
TOTAL COSTS		\$31,479	\$642,745
TOTAL FTE		0.4 FTE	2.3 FTE

Personal services. Under current law, congressional redistricting plans are prepared by the General Assembly with nonpartisan Legislative Department staff support during the legislative session (January to May). Under Amendment Y, congressional redistricting is expected to require an additional 0.2 FTE in FY 2020-21 and 2.3 FTE in FY 2021-22. Overall, an increase in staffing will be required over current law to process commissioner applications and maintain a website that can accept public comments for the commission.

The Department of State requires 0.2 FTE in FY 2020-21 only for approximately 310 hours of staff time to promulgate rules regarding congressional redistricting lobbying, create training materials, and conduct training on lobbyist registration and reporting requirements. Staff will assist with updating the online lobbyist registration and filing system and process any complaints received against lobbyists. Workload will also increase in FY 2021-22 to process complaints; however, this workload can be accomplished within existing appropriations.

Computer equipment and software. For the Legislative Department, congressional redistricting requires computers that use GIS and mapping software, as well as data and printing services. Amendment Y also specifies certain requirements for the commission's website that exceed the requirements under current law, such as allowing for the submission of public maps and comments, and broadcasting meetings online. These new requirements are expected to increase costs by \$22,000 in FY 2020-21 and \$39,000 in FY 2021-22 compared to current law.

For the Department of State, \$71,680 is needed in FY 2020-21 for 640 hours of computer programming at \$112 per hour to make modifications to the online lobbyist registration and filing system to allow for congressional redistricting lobbying registration and disclosures.

Professional and legal services. Professional and legal consultation may be sought during the drawing of congressional redistricting plans under this resolution. This includes legal support concerning rulemaking, open records requests, and for redistricting plans.

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Travel and per diem. Under current law, it is assumed that an interim committee will hold statewide public meetings regarding the redistricting plan. By creating a congressional redistricting commission that must hold meetings in each district, funds are needed to pay for travel expense reimbursement and per diem for staff and commission members. Under Amendment Y, costs increase for additional meetings compared to current law and for additional staff to attend the meetings.

Administrative Law Judges/Court of Appeals. To the extent that there are complaints against lobbyists for the failure to fully or accurately report lobbying activity, workload for the Office of Administrative Courts will increase. Workload for the Court of Appeals will also increase to the extent that an Administrative Law Judge decision is appealed. It is assumed this workload can be accomplished within each agency's existing appropriations.

Employee benefits and leased space. Costs for employee insurance, supplemental employee retirement payments, and leased space for the commission are estimated to be \$21,115 in FY 2020-21 and \$69,226 in FY 2021-22, as compared to current law.

Effective Date

If approved by voters, Amendment Y will take effect upon proclamation of the Governor, no later than 30 days after the canvass of the vote is completed.

State and Local Government Contacts

Judicial
Local Affairs

Law
Legal Services

Legislative Council
Secretary of State