



Colorado
Legislative
Council
Staff

HB16-1071

FINAL
FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0225
Prime Sponsor(s): Rep. Windholz

Date: June 9, 2016
Bill Status: Postponed Indefinitely
Fiscal Analyst: Chris Creighton (303-866-5834)

BILL TOPIC: COUNTY INITIATIVE POWERS

Note: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

This bill grants initiative powers to the voters of every county or any special taxing district created by a county. Residents may submit a proposed ordinance or other legislative change (initiative) to the board of county commissioners (board) by filing a written notice with the county clerk and recorder (county clerk). The notice must specify whether the initiative affects the entire county or a geographic portion of the county. Within 180 days after the notice is submitted, the petitioners must file an initiative petition signed by five percent of the county's registered electors, or five percent of the registered electors in the geographic region affected. The clerk must determine if the signature requirement has been met and make an independent evaluation to determine the geographic area.

Once such determination is made, the county clerk must certify the initiative to the board. The proposed initiative may be adopted without alteration by the board within 20 days. If the board does not adopt it, the initiative must be published for voter approval at a regular or special election held no less than 60 days and no more than 150 days after final determination. The initiative will take effect if a majority of registered electors vote in favor of the initiative. If two or more conflicting initiatives are approved, the initiative receiving the most votes must be adopted.

Local Government Impact

This bill has a conditional impact to counties. If an initiative is filed, county clerk workload will increase to review and verify the signatures and geographic area impacted. If the petition is certified by the county clerk, additional county workload is expected to review the proposed initiative and determine its impact on the county before being voted on by the board. The cost of this workload increase cannot be determined and is contingent on the number of initiatives filed and the nature of the initiatives.

For initiatives not adopted by the board, increased election costs are expected. For regular elections, this includes increased printing and ballot mailing costs due to the longer ballot. County special election costs will also be incurred if the petition cannot be included as part of a regularly scheduled election. Countywide special elections require advertising, printing, and postage and cost up to \$135,000 for small counties and \$450,000 for large counties for each special election.

The cost of special elections specific to a geographic location will vary depending on the number of voters in the location affected by the initiative, but are not expected to exceed the cost of a countywide special election.

Effective Date

The bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on February 1, 2016.

State and Local Government Contacts

Counties
Local Affairs

County Clerks
Secretary of State

Information Technology
Special Districts