



**Colorado  
Legislative  
Council  
Staff**

**SB17-099**

**FISCAL NOTE**

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

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**Drafting Number:** LLS 17-0548

**Date:** February 7, 2017

**Prime Sponsor(s):** Sen. Kerr  
Rep. Rosenthal

**Bill Status:** Senate SVMA

**Fiscal Analyst:** Chris Creighton (303-866-5834)

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**BILL TOPIC:** NATIONAL POPULAR VOTE AGREEMENT

**Summary of Legislation**

This bill enters Colorado into an agreement to elect the president by national popular vote. Any state and the District of Columbia may enter into the agreement by enacting it. Requirements for when the agreement takes effect, terms for states to withdraw from the agreement, and the process that must be undertaken by election officials to determine the national popular vote total and certify the national popular vote winner are described in the bill. This agreement terminates if the Electoral College is abolished.

**Background**

The Electoral College was established by Article II U.S. Constitution and modified by the 12th and 23rd Amendments. The president and vice president are chosen by the Electoral College which consists of a total of 538 members, one for each U.S. senator and representative, and three additional electors representing the District of Columbia. Each state has a number of electoral votes equal to the combined number of senators and representatives in its congressional delegation. Although the process can differ by state, these electoral votes are selected through a popular vote in each state.

**Assessment**

This bill is assessed as having no fiscal impact. The Secretary of State is responsible for certifying presidential electors and this bill does not change the process by which this is done, therefore there are no expenditure, revenue, or workload impacts.

**Effective Date**

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

**State and Local Government Contacts**

Law

Secretary of State