



**Colorado
Legislative
Council
Staff**

SB17-209

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 17-0863
Prime Sponsor(s): Sen. Priola
Rep. Weissman

Date: September 7, 2017
Bill Status: Signed into Law
Fiscal Analyst: Chris Creighton (303-866-5834)

BILL TOPIC: VARIOUS CHANGES FOR ACCESS TO BALLOT BY CANDIDATES

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
State Expenditures Cash Funds	Workload impact. See State Expenditures section.	
Appropriation Required: None.		
Future Year Impacts: Ongoing workload impact.		

Summary of Legislation

This bill makes the following changes related to candidate access to the ballot and the filling of candidate vacancies:

- Designated election officials are prohibited from certifying a candidate for placement on the ballot if the official deems the candidate is unqualified based on residency requirements.
- The time-frame for circulating candidate petitions to designate party candidates at a primary election is changed to allow circulation starting on the third Tuesday in January and requires them to be filed by the third Tuesday in March.
- The Department of State is authorized to create rules allowing for circulator affidavits with an error to be cured by providing a new, corrected affidavit within five days of receiving notice of the error.
- A party chairperson is authorized to provide notice of a vacancy committee meeting to committee members by email.
- Designated election officials are required to post notice of a candidate vacancy and the name of the replacement on their website and in each voter service and polling center.
- Statutes pertaining to the process for filling candidate vacancies before and after a primary election are reorganized.

State Expenditures

Beginning in FY 2017-18, this bill impacts workload in the Department of State and the Department of Personnel and Administration as described below.

Department of State. Department of State workload is increased beginning in FY 2017-18 to provide notice regarding vacancies and the name of the replacement candidate. Workload is also increased to create rules regarding the curing of circulator affidavits and to provide notification of circulator affidavit errors to candidates. This workload increase can be accomplished within existing appropriations.

By moving the deadline to file candidate petitions to designate party candidates this bill increases the amount of time the department has to review and certify such petitions. This work is performed by the Integrated Document Solutions (IDS) group in the Department of Personnel and Administration using temporary staff paid from reappropriated Department of State Cash Funds. The increased time period will allow for the petitions to be reviewed using less temporary staff, thus creating a workload efficiency. Any decrease in appropriations resulting from this workload efficiency will be addressed through the annual budget process.

Department of Personnel and Administration. Beginning in FY 2017-18, by allowing more time to review candidate petitions to designate party candidates, this bill creates an IDS workload efficiency. This efficiency may decrease the amount of funds reappropriated to IDS from the Department of State for this work.

By allowing for circulator affidavits with errors to be corrected, this bill decreases workload in the Office of Administrative Courts for Administrative Law Judges to hear cases challenging rejected petitions. This decrease in workload is anticipated to be minimal.

Local Government Impact

This bill increases county clerk workload and costs to provide notice on the county website and in voter service and polling centers regarding vacancies and the name of the replacement candidate.

Effective Date

This bill was signed into law by the Governor on May 23, 2017, became effective on August 9, 2017. It applies to all elections on or after this date.

State and Local Government Contacts

Counties	County Clerks
Information Technology	Judicial
Local Affairs	Municipalities
Personnel and Administration	Secretary of State
Special Districts	