



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

FINAL FISCAL NOTE

Drafting Number:	LLS 19-0726	Date:	September 4, 2019
Prime Sponsors:	Sen. Foote Rep. Sirota; Arndt	Bill Status:	Signed into Law
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Bill Topic: NATIONAL POPULAR VOTE

Summary of Fiscal Impact: **No fiscal impact.** This bill enters Colorado into an agreement to elect the president by national popular vote.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

This bill enters Colorado into an agreement to elect the president by national popular vote, which becomes binding on member states once states with the majority of electoral votes ratify the agreement. Under the agreement, presidential electors in Colorado are bound to support the winner of the national popular vote. Any state and the District of Columbia may enter into the agreement. The bill specifies the 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. This agreement terminates if the Electoral College is abolished.

Background

The Electoral College was established by Article II of the 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. Each state has a number of electoral votes equal to the combined number of senators and representatives in its congressional delegation, plus three electors for the District of Columbia. Although the process can differ by state, a state's electoral votes are generally selected based on the popular vote in that state.

Assessment of No Fiscal Impact

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, the bill does not affect the revenue, expenditures, or workload of any state or local government entity.

Effective Date

The bill was signed into law by the Governor on March 15, 2019, and took effect August 2, 2019.

State and Local Government Contacts

Law Secretary of State