



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 23-0433	Date:	February 22, 2023
Prime Sponsors:	Rep. Marshall Sen. Priola	Bill Status:	House State Affairs
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Bill Topic: COUNTY COMMISSIONER ELECTIONS

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires counties with populations of 70,000 or more to have five county commissioners, with at least three elected by voters of the candidate's district. The bill increases local government costs beginning in FY 2023-24.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill requires counties with populations of 70,000 or more to have five commissioners, with at least three commissioners elected by voters in the district in which the commissioner is running for election. The bill outlines three alternative methods for electing these five required commissioners.

Within a month of the bill's adoption or when populations increase to 70,000 in a county, a board of county commissioners with only three commissioners must adopt a resolution to change their membership to five commissioners, and refer the resolution to voters at the next general election.

Affected counties may choose to have three, four, or five districts. Voters in the county must select one of three voting scenarios to elect future commissioners. In a county with 3 districts, at least 3 of the 5 commissioners must be elected from the district in which the candidate lives; in a county with 4 districts, at least 4 of the commissioners must be elected from in the district; and, in a county with 5 districts, all the candidates must live in the district from which they are elected.

Counties may change the method of electing members of a board of county commissioner via referendum or a petition signed by at least eight percent of voters submitted to the county clerk at least 90 days before the next general election.

Background

Currently, there are ten Colorado counties with a population greater than 70,000 people, not including Denver and Broomfield, which are both consolidated cities and counties. Of the ten counties, Adams, Arapahoe, El Paso, and Weld counties already have five commissioners. This bill impacts the remaining six counties that only have three commissioners: Boulder, Douglas, Jefferson, Larimer, Mesa, and Pueblo counties.

Local Government

Workload and costs for Boulder, Douglas, Jefferson, Larimer, Mesa, and Pueblo counties will increase from adding two more commissioners, holding the required referendum to select the method of electing commissioners, and redistricting to create new commissioner districts.

New commissioners. Six counties must add two additional commissioners. This will result in costs to each county of \$350,000 or more annually for salaries and benefits for these commissioners. Additional costs for office space, computers, supplies, aides, support staff, and other expenses will also be incurred.

Referendum. Counties may have additional election costs to place the required referendum on the general election ballot in 2024. It is assumed that counties already have county offices or ballot measures that will require participation in the coordinated election. To the extent this referendum is the sole county measure on the ballot, new costs will be incurred. If other county offices or ballot measures are on the ballot, adding one additional measure may impact the share of coordinated election costs paid by the county. For information purposes, large urban counties in past elections have had cost of around \$700,000 to participate in coordinated elections.

Redistricting. If a county must establish new district boundaries following voter approval of the method for selecting commissioners, costs will increase for additional staff in election divisions, computer hardware, and software with geographic system information (GSI) and mapping capabilities, as well as associated costs to convene a redistricting commission. Costs include expenses for data gathering and analysis, community meetings, and ensuring newly drawn districts are fair; this can range from \$75,000 to \$135,000 per county.

Petition process. The bill also creates a new countywide petition process that requires county clerks to approve petition formats, receive petitions, and review signatures to verify if the 8 percent threshold is met for future petitions seeking to change the voting method for county commissioners. This process can cost between \$37,500 and \$75,000 per county per ballot measure.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties County Clerks Information Technology Local Affairs Secretary of State

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: leg.colorado.gov/fiscalnotes.