



**Colorado  
Legislative  
Council  
Staff**

**SB16-074**

**FINAL  
FISCAL NOTE**

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

**Drafting Number:** LLS 16-0519  
**Prime Sponsor(s):** Sen. Crowder  
Rep. Dore

**Date:** June 7, 2016  
**Bill Status:** Postponed Indefinitely  
**Fiscal Analyst:** Chris Creighton (303-866-5834)

**BILL TOPIC:** MAIL BALLOTS OPT-OUT & PROVIDE 24-HOUR DROP BOXES

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
<b>State Revenue</b>		
<b>State Expenditures</b>	<b><u>297,200</u></b>	
Cash Fund	41,200	
Federal Funds	256,000	
<b>Appropriation Required:</b> \$41,200 - Department of State (FY 2016-17).		
<b>Future Year Impacts:</b> None.		

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

**Summary of Legislation**

This bill allows a voter to opt out of automatically receiving mail ballots by completing a form on the statewide online voter registration system. A voter who has opted out may also choose to resume receiving mail ballots through the process established by the Secretary of State.

In addition, the bill authorizes the Secretary of State's Office to use federal "Help America Vote Act" (HAVA) funds to purchase twenty-four hour ballot drop boxes and video surveillance equipment for every county in the state, unless a county submits a written waiver requesting to opt out of receiving the new equipment.

**Background**

Current law requires all general, primary, odd-year, coordinated, recall, and congressional vacancy elections on or after July 1, 2013, to be conducted by mail ballot. Under current law, voters may surrender their mail ballots and vote in person at a voter service and polling center (voter centers), or may supersede a ballot that has been voted and mailed by voting in person at a voter center before the voted ballot is received into the statewide voter registration database by the county clerk.

Electors may also choose to drop their voted mail ballots in drop boxes instead of either using the postal service or returning them directly to a voter center. All counties are required to provide at least one drop box; counties with more than twenty-five thousand active electors are required to provide additional drop boxes based on population. According to Secretary of State rules, drop boxes must be monitored either by an election official or by video surveillance.

### **State Expenditures**

This bill increases state expenditures in the Department of State Cash fund by \$41,200 in FY 2016-17. To implement this bill, programming changes are needed in the online voter registration system and the statewide voter registration system. These changes will require 400 hours of programming at a rate of \$103 per hour and will allow an elector to choose to opt out using the state's voter registration website. If the voter's mail ballot preference changes in the future, the voter will need to change their election again on the state's voter registration website.

The requirement to purchase twenty-four hour drop boxes and surveillance cameras for each of the State's 64 counties is estimated to cost \$256,000. This assumes a cost of \$4,000 per drop box and surveillance camera. The cost will be reduced should any county submit a waiver opting out of receiving this equipment. No appropriation is required as these costs will be paid out of the Federal Elections Assistance Fund which is continuously appropriated to the Secretary of State's Office and has a fund balance of approximately \$2 million.

### **Local Government Impact**

Minimal local government impacts are expected from this bill. Currently, the ballot packet that is mailed to the voter contains election information such as important dates and times, voter center locations, and ballot return deadlines. For voters who opt out of mail ballots, this election information will be sent in a separate election notice. The cost of sending this notice is expected to be offset by the savings from not mailing a ballot. Should a large number of electors opt-out of receiving the mail ballot, workload increases are expected at the voter centers. Counties that receive the twenty-four hour drop box and surveillance camera will incur installation costs as well as additional server and monitoring costs to maintain the camera and software.

### **Effective Date**

The bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on April 4, 2016.

### **State Appropriations**

Consistent with this fiscal note, for FY 2016-17, this bill appropriates \$41,020 from the Department of State Cash Fund to the Department of State.

### **State and Local Government Contacts**

Counties  
Information Technology

Municipalities  
Revenue

County Clerks  
Secretary of State

**Research Note Available**

An LCS Research Note for SB16-074 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.