



**Colorado  
Legislative  
Council  
Staff**

**HB17-1281**

**FISCAL NOTE**

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

**Drafting Number:** LLS 17-0608  
**Prime Sponsor(s):** Rep. Singer  
Sen. Kefalas

**Date:** March 22, 2017  
**Bill Status:** House SVMA  
**Fiscal Analyst:** Chris Creighton (303-866-5834)

**BILL TOPIC:** APPROVAL VOTING OPTIONAL USE NONPARTISAN ELECTIONS

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
<b>State Revenue</b>		
<b>State Expenditures</b>	<b>\$62,728</b>	<b>\$60,109</b>
Cash Funds	52,606	47,635
Centrally Appropriated Costs	10,122	12,474
<b>FTE Position Change</b>	0.8 FTE	1.0 FTE
<b>Appropriation Required:</b> \$52,606 - Department of State (FY 2017-18).		
<b>Future Year Impacts:</b> Ongoing state expenditure increase.		

**Summary of Legislation**

This bill authorizes counties, municipalities, school districts, and special districts (local governments) to use approval voting in non-partisan elections beginning November 1, 2017. The Department of State is required to adopt approval voting rules prior to October 1, 2017, advise local governments on the implementation of this voting method, and submit a report to the General Assembly on the use of approval voting by February 15, 2020. This bill also authorizes a county clerk to decline to coordinate an election for a local government that chooses to hold an approval voting election.

**Background**

Approval voting is a voting method that allows a voter to cast a vote for as many candidates for the office up for election as the voter chooses. The winner of each office is the candidate that receives the most votes. For elections with multiple open seats that must be filled, the winners are the top candidates that received the most votes equal to the number of seats being filled.

**State Expenditures**

*This bill increases costs in the Department of State by \$62,728 and 1.0 FTE in FY 2017-18 and by \$60,109 and 1.0 FTE in FY 2018-19 and future years.* Workload is also increased in the Department of Local Affairs. These impacts are shown in Table 1, and discussed below.

<b>Table 1. Expenditures Under HB17-1281</b>		
<b>Cost Components</b>	<b>FY 2017-18</b>	<b>FY 2018-19</b>
Personal Services	\$38,903	\$46,685
FTE	0.8 FTE	1.0 FTE
Operating Expenses and Capital Outlay Costs	5,463	950
Computer Programming	8,240	
Centrally Appropriated Costs*	10,122	12,474
<b>TOTAL</b>	<b>\$62,728</b>	<b>\$60,109</b>

\* Centrally appropriated costs are not included in the bill's appropriation.

**Department of State.** Beginning in FY 2017-18, 1.0 FTE will be needed for an Elections Specialist to implement this bill. This position will promulgate rules on the conduct of approval voting elections, provide guidance to local governments on the conduct of approval voting, track the use of approval voting, and prepare a report for the General Assembly. This report is to include recommendations on statutory and rule changes necessary to implement approval voting as an alternative voting method for regular and special federal, state, and local elections. The cost of this position is prorated in FY 2017-18 based on a September 1, 2017, start date.

Additionally, for FY 2017-18, programming changes are needed to the statewide voter registration database (SCORE) to accommodate approval voting. This requires 80 hours of computer programming at a rate of \$103 per hour for a total cost of \$8,240.

**Department of Local Affairs.** Currently, local governments and special districts file their election results with the Department of Local Affairs. This bill increases workload by a minimal amount to update local government and special district election forms and publications. It is assumed that workload will also increase for the Department of Local Affairs to collaborate with the Department of State on the creation of approval voting rules, particularly the submission of election results. This workload can be accomplished within existing appropriations.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated in the fiscal note for informational purposes and summarized in Table 2.

<b>Table 2. Centrally Appropriated Costs Under HB17-1281</b>		
<b>Cost Components</b>	<b>FY 2017-18</b>	<b>FY 2018-19</b>
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$6,636	\$8,291
Supplemental Employee Retirement Payments	3,486	4,183
<b>TOTAL</b>	<b>\$10,122</b>	<b>\$12,474</b>

## Local Government Impact

This bill potentially increases costs for any local government that chooses to implement approval voting. The full impact is unknown and will vary by local government should approval voting be used. Costs would be increased to update election policies, procedures, forms, and to communicate the changes to voters. Costs will also be incurred to reprogram vote counting machines. To the extent that approval voting increases the length of the ballot, ballot printing costs will also increase. Many local governments pay postage costs for mail ballots that have insufficient postage and a larger ballot could increase these postage costs.

If a county clerk declines to coordinate an election for a local government that chooses to use approval voting, cost will be increased for that government entity to conduct its own independent election.

## Technical Note

If no petition is filed, this bill takes effect on August 9, 2017. Because this voting method is new to Colorado more time is needed for the Department of State to adopt approval voting rules prior to October 1, 2017, and to make the required SCORE programming changes to allow for approval voting in the November 2017 election.

## 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. It applies to all elections conducted on or after November 1, 2017.

## State Appropriations

For FY 2017-18, this bill requires an appropriation of \$52,606 to the Department of State from the Department of State Cash Fund and an allocation of 1.0 FTE.

## State and Local Government Contacts

Clerks  
Local Affairs  
Secretary of State

Counties  
Municipalities  
Special Districts

Information Technology  
School Districts