



Legislative Council Staff

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FISCAL NOTE

Drafting Number:	LLS 18-0042	Date:	February 5, 2018
Prime Sponsors:	Sen. Grantham Rep. Lundeen	Bill Status:	Senate SVMA
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Bill Topic: SENATE STATE OFFICE NOMINEE REJECTION EFFECTS

Summary of Fiscal Impact: **No Fiscal Impact.** This bill clarifies the procedures following a Senate rejection of a Governor's nominee. This bill may move or delay work within state agencies but is not expected to impact revenue or expenditures for any state agency.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

This bill specifies that when the Senate rejects a Governor's nominee for state office, that individual is deemed "legally unfit" and the Governor cannot nominate the rejected individual to the same office for a second time. If a nominee is rejected for reappointment, the individual is removed from office once his or her term is up and cannot exercise the duties of the office, even if a replacement has not been named.

Background

Under Section 1 of Article XII of the Colorado Constitution, any person who holds a civil office, under the state or any municipality, will exercise the duties of the office until a "successor is duly qualified," unless they are removed according to the law. Since 2013, the Senate has rejected one Governor's appointment.

Assessment of No Fiscal Impact

This bill has the potential to delay or adjust workload within state agencies, if a vacancy is not filled. Based on past data, this fiscal note assumes that vacancies as a result of this bill will be minimal and will not affect any state agency's revenue or expenditures.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

All State Agencies