



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

SCR 20-002

FISCAL NOTE

Drafting Number: LLS 20-1278 Date: June 5, 2020
Prime Sponsors: Sen. Lundeen Bill Status: Senate SVMA
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Bill Topic: LEGISLATIVE OVERSIGHT OF GOVERNOR EMERGENCY POWERS

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This concurrent resolution refers a measure to voters to amend the Colorado Constitution to limit a state of disaster emergency declared by the Governor to 30 consecutive calendar days.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

This concurrent resolution refers a measure to voters at the November 2020 general election to amend the Colorado Constitution to limit a state of disaster emergency declared by the Governor to 30 consecutive calendar days.

The measure requires at least 55 percent of the voters voting affirmatively for the amendment to become part of the Colorado Constitution.

Background

Under current law, the Governor is authorized to declare a disaster emergency by executive order or proclamation if he finds a disaster has occurred or that a threat of a disaster is imminent.

State Expenditures

If the measure is approved by voters and if the Governor convenes a special session to extend a state of disaster emergency, state General Fund expenditures will increase. Funds for special sessions are included annually in legislative appropriations. The concurrent resolution will impact election costs, as described below.

Election expenditure impact — existing appropriations. This bill includes a referred measure that will appear before voters at the November 2020 general election. While no additional appropriation is required in this bill, certain election costs are incurred by the state when ballot measures are referred to voters. These costs, paid using existing appropriations, are in two areas. First, current law requires the state to reimburse counties for costs incurred conducting a ballot measure election, paid from the Department of State Cash Fund in the Secretary of State's Office, estimated at \$3.2 million in FY 2020-21. Second, the text and title of the measure must be published in one legal newspaper per county and an analysis of the measure must be included in the Ballot Information Booklet mailed to all registered voter households, paid from the Ballot Analysis Revolving Fund in the Legislative Department, which is estimated to cost approximately \$2.1 million in FY 2020-21. Publication costs increase by approximately \$115,000 per measure beyond this base amount for each additional referred or initiated measures placed on the ballot.

Effective Date

The measure takes effect after the date of the official declaration of the vote by proclamation of the Governor, not later than 30 days after the votes have been canvassed.

State and Local Government Contacts

Governor Legislative Council Staff State