



**Colorado  
Legislative  
Council  
Staff**

**SCR16-005**

**FINAL  
FISCAL NOTE**

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

<b>Drafting Number:</b> LLS 16-0033	<b>Date:</b> June 6, 2016
<b>Prime Sponsor(s):</b> Sen. Martinez Humenik; Todd	<b>Bill Status:</b> Lost in Senate
Rep. Priola; Court	<b>Fiscal Analyst:</b> Chris Creighton (303-866-5834)

**BILL TOPIC:** ALLOW COUNTIES TO APPOINT COUNTY SURVEYORS

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	See State Expenditures section.	
Appropriation Required: None.		
Future Year Impacts: None.		

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

**Summary of Legislation**

The Colorado constitution currently requires a county surveyor to be elected in each county. This concurrent resolution refers a ballot question to the voters that removes this requirement and allows each county, by ordinance, to determine:

- whether or not to have a surveyor;
- whether the surveyor is to be elected or appointed;
- the salary of the surveyor; and
- and the term of service for a county surveyor.

**Background**

The constitution currently requires that the following positions be elected in each county: one county clerk, who is the ex officio recorder of deeds and clerk of the board of county commissioners; one sheriff; one coroner; one treasurer who is the collector of taxes; one county surveyor; and one county assessor.

The county surveyor represents the county in boundary disputes; files all surveys, field notes, calculations and maps pertaining to work from the County Commissioners; establishes corner monuments in cases of disputes; and creates and maintains a land survey plat record file and index system. Due to lack of candidates for the position, 29 of the state's 64 counties do not have an elected surveyor. Under current practice, these counties contract for surveyor services when needed.

Salaries for county surveyors are set in statute. Salaries currently range from \$1,000 per year for surveyors in the smallest counties, up to \$5,500 per year for surveyors in the largest counties.

### **State Expenditures**

While this bill does not directly increase state costs, the referral of ballot measures results in costs as described below.

***Election expenditure impact (existing appropriations).*** The bill includes a referred measure that will appear before voters at the November 2016 general election. Although no additional appropriation is required in this bill to cover election costs associated with this ballot measure, certain election costs to the state are appropriated as part of the regular budget process. First, state law requires that the state reimburse counties for costs incurred conducting a ballot measure election, paid from the Department of State Cash Fund. 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 (Blue Book) mailed to all registered voter households prior to the election paid from the Ballot Analysis Revolving Fund. As of this writing, there will be at least one citizen-initiated measure on the ballot at the 2016 election, which will trigger the ballot costs shown in Table 1 below for a single ballot measure. Costs in 2016 will increase by approximately \$100,000 per measure beyond this base amount for each additional referred or initiated measure placed on the ballot.

<b>Cost Component</b>	<b>Amount</b>
County Reimbursement for Statewide Ballot Measures	\$2,400,000
Ballot Information Booklet (Blue Book) & Newspaper Publication	670,000
<b>TOTAL</b>	<b>\$3,070,000</b>

### **Local Government Impact**

Conditional upon approval by the voters, this concurrent resolution impacts counties in several ways. First, by eliminating the constitutional requirement that each county elect a surveyor, counties may choose not to elect a surveyor which will reduce local elections expenditures. Second, counties may choose to pay the surveyor an amount that differs from current state law, which could result in an increase or a decrease in county expenditures. Lastly, workload and costs increase for counties to pass ordinances stipulating the selection, salary, and term of the surveyor.

### **Effective Date**

The bill was lost on third reading in the Senate on May 4, 2016.

**State and Local Government Contacts**

Counties      Local Affairs      Secretary of State      County Clerks