



**Colorado
Legislative
Council
Staff**

SB17-069

FISCAL NOTE

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

Drafting Number: LLS 17-0029 **Date:** February 1, 2017
Prime Sponsor(s): Sen. Holbert **Bill Status:** Senate SVMA
 Rep. Coleman; Ransom **Fiscal Analyst:** Chris Creighton (303-866-5834)

BILL TOPIC: CANDIDATE PETITION INFO VERIFY ELECTION PROCESS STUDY

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
State Expenditures	<u>\$74,160</u>	
Cash Funds	74,160	Minimal workload increase.
Appropriation Required: \$74,160 - Department of State (FY 2017-18).		
Future Year Impacts: Ongoing minimal workload increase.		

Summary of Legislation

This bill authorizes designated election officials to use random sampling to verify candidate petition signatures and directs the Department of State to promulgate random sampling rules. Under current law, all signatures must be verified using voter registration records. The bill also requires that designated election officials verify that a candidate petition circulator is qualified and that the circulator's signature does not predate any of the petition signatures. Any petition executed by an ineligible circulator or prior to the date of any eligible voter signature is void.

This bill also directs the Department of State in collaboration with county clerks and other designated election officials to study best practices for collecting candidate petition signatures electronically. Findings must be reported during the SMART Act hearing for the Department of State prior to the start of the 2020 General Assembly.

Background

Designated election officials are persons who are responsible for the running of an election. This can include the Secretary of State, county clerks, municipal clerks, and special district designated election officials.

Candidates for political office may petition to appear on the ballot by circulating a petition in a format approved by the Department of State and collecting the required number of signatures for the elected office being sought. Candidate petition circulators may be used to gather the necessary signatures. Circulators must be a resident of the state, a citizen of the U.S., at least

18 years of age, registered to vote, and affiliated with the political party on the candidate petition at the time the petition is circulated. The petition must be filed with the Department of State, county clerk, or other designated election official depending on the office being sought. The designated election official is required to review and verify all petition signature information by checking the name and address in voter registration records. This process is conducted in accordance with Department of State signature verification rules. Random sampling is currently utilized for verifying statewide ballot measure signatures.

State Expenditures

Beginning in FY 2017-18, this bill increases Department of State cash fund expenditures by \$74,160. Workload is also increased in the Departments of State and Personnel and Administration. These impacts are discussed below.

Department of State. Department of State Cash Fund expenditures are increased by \$74,160 in FY 2017-18 for modifications to the statewide voter registration system (SCORE). Currently SCORE is set up to allow designated election officials to automatically review all candidate petition signatures and modifications are needed to allow for random sampling. These modifications will take 720 hours of programming at a rate of \$103 per hour for a total cost of \$74,160.

Workload is increased in the Department of State to promulgate rules allowing for candidate petition random sampling. This work can be accomplished as part of the department's regular rule making duties and will not require an additional appropriation. This bill further increases Department of State workload to work with county clerks and designated election officials to study best practices for electronic candidate petition processing. Researching technologies to create an electronic candidate petition process is part of the department's work plan and can be accomplished within existing appropriations. It is assumed that this study will be conducted beginning in FY 2017-18 and that this increased workload will continue through FY 2018-19 to finalize conclusions and prepare a SMART Act hearing report.

Department of Personnel and Administration. This bill increases workload in the Integrated Document Solutions group of the Department of Personnel and Administration to implement random signature verification. Currently the signature information is verified with voter registration records, but the actual signature is not checked. This workload increase is offset by the ability to implement random sampling for checking voter registration records and because this signature verification is random, this increase in workload is expected to be minimal.

This bill potentially increases workload in the Office of Administrative Courts (OAC) for administrative law judges to hear cases related to candidate petitions. Changes related to the verification of a circulator and the timing of the signatures on the candidate petitions may increase administrative law judge caseload which would also increase Department of State costs. It is believed that any increase in workload resulting from this bill can be accomplished within the existing resources and additional appropriations will be requested through the annual budget process, if needed.

Local Government Impact

This bill increases local government workload for designated election officials to participate in the Department of State study of best practices for electronic petition processing. This includes county clerks, municipal clerks, and special district designated election officials. Workload is initially increased to implement policies on random sampling and circulator verification procedures, but some savings will result from the shift to random sampling. Concerning the required study, many designated officials are already engaged in discussions with the Department of State on electronic candidate petition possibilities, so any workload impact will be minimal.

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 elections conducted on or after this date.

State Appropriations

For FY 207-18, this bill requires an appropriation of \$74,160 to the Department of State Cash Fund.

State and Local Government Contacts

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