



Legislative
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Nonpartisan Services for Colorado's Legislature

HB 20-1149

**REVISED
FISCAL NOTE**

(replaces fiscal note dated February 14, 2020)

| | | | |
|-------------------------|--|------------------------|---|
| Drafting Number: | LLS 20-0770 | Date: | March 18, 2020 |
| Prime Sponsors: | Rep. Gonzales-Gutierrez Sen. Moreno | Bill Status: | House Appropriations |
| | | Fiscal Analyst: | Jeff Stupak 303-866-5834 Jeff.Stupak@state.co.us |

Bill Topic: **16-YEAR-OLDS VOTING IN SCHOOL DISTRICT ELECTIONS**

Summary of Fiscal Impact:

| | |
|---|--|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input checked="" type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill allows minors ages 16 and 17 who are preregistered to vote to cast a ballot in school district contests and ballot measure elections. The bill increases state and local expenditures on an ongoing basis.

Appropriation Summary: For FY 2020-21, the bill requires an appropriation of \$397,955 to the Department of State and \$1,410 to the Department of Personnel and Administration.

Fiscal Note Status: This revised fiscal note reflects the introduced bill as amended by the House State, Veterans, and Military Affairs Committee.

**Table 1
State Fiscal Impacts Under HB 20-1149**

| | | FY 2020-21 | FY 2021-22 |
|---------------------|--------------|-------------------|-------------------|
| Revenue | | - | - |
| Expenditures | General Fund | \$399,365 | up to \$142,560 |
| Transfers | | - | - |
| TABOR Refund | | - | - |

Summary of Legislation

The bill allows minors ages 16 and 17 who are preregistered to vote to cast a ballot in elections for the state board of education, school district officers, and on referred measures regarding mill levies, property taxes, school district organization and representation, and school district financial obligations or indebtedness. It also allows preregistrants to circulate and sign petitions to nominate or recall a school district officer, or to initiate an election under Title 22, Colorado Revised Statutes. County clerks must inform preregistered voters that their voter information will no longer be confidential as of July 1, 2021.

The bill requires the state to reimburse counties for the direct costs associated with ballots sent to preregistered minors for any coordinated election, and also requires the General Assembly to make a General Fund appropriation to the Department of State to cover the costs of implementing the bill.

The bill includes provisions to preserve the anonymity of preregistrants in school districts where the total number of preregistrant votes is less than 10 in a given school district. Additionally, minors ages 16 and up are allowed to serve as student election judges and may work up to 12 hours per day for that purpose.

Lastly, the bill specifies that any election offense alleged to have been committed by a preregistered minor may not be transferred to district court and must remain under the jurisdiction of juvenile court.

State Expenditures

The bill will increase state General Fund expenditures by \$399,365 in FY 2020-21, and by up to \$142,560 in FY 2021-22, as shown in Table 2 and discussed below.

Table 2
Expenditures Under HB 20-1149

| Cost Components | FY 2020-21 | FY 2021-22 |
|---|-------------------|------------------------|
| Department of State | | |
| Operating Expenses | \$28,355 | - |
| Computer Software and Programming | \$369,600 | - |
| County Reimbursement | - | \$142,560 |
| SOS (Subtotal) | \$397,955 | up to \$142,560 |
| Department of Personnel and Administration | | |
| Address Confidentiality Program | \$1,410 | - |
| DPA (Subtotal) | \$1,410 | - |
| Total | \$399,365 | up to \$142,560 |

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

Department of State. The bill will increase expenditures in the Department of State by \$397,955 in FY 2020-21, and up to \$142,560 in FY 2021-22. Costs in future years will vary depending on the schedule of various school district elections.

The bill requires programming changes to the state's voter registration database (SCORE) and web-based portal (WebSCORE), the Risk-Limiting Audit application, and Online Voter Registration application, which will result in additional expenditures of \$369,600 in FY 2020-21. These applications must be changed to generate new ballot styles, identify eligible preregistered voters and provide ballots, provide notifications to the new voter class, alter audit procedures, and generate reports. Programming costs for contract staff are calculated at 3,300 hours at a rate of \$112 per hour. Cost and workload estimates are based on the similar system changes that were required as a result of the passage of Propositions 107 and 108 in 2016.

The bill also requires a change to the self-affirmation on the standard voter registration form. The standard cost to reprint the form will be \$28,355.

Lastly, the bill requires the General Assembly to make a General Fund appropriation to the Department of State for the costs incurred under the bill, including reimbursements to counties for the direct cost of mailing preregistrants' ballots. This cost is estimated to be \$2.97 per preregistrant. According to the Department of State, there are 47,416 current preregistrants in SCORE. The fiscal note assumes at least 48,000 16 and 17 year old minors will be preregistered and eligible to receive a ballot in 2021. School district elections are generally held as part of a November general election or coordinated election. Costs across FY 2021-22 and FY 2022-23 will be up to \$142,560. Costs in future years will be adjusted through the annual budget process depending on school district election timing.

Department of Personnel and Administration. The bill will increase expenditures by \$1,410 in FY 2020-21 to make changes within the Address Confidentiality Program (ACP) in the Department of Personnel and Administration. The ACP provides survivors of domestic violence, sexual offenses, and/or stalking, and their children, with a legal substitute address and mail forwarding service. Voter registration forms used by ACP participants, which utilize their substitute address, will need to be updated to reflect the new self-affirmation included in the bill. The bill will also increase the number of ballots mailed to substitute addresses for the program's 16 and 17 year olds. Lastly, because the bill makes preregistrants information public record, the ACP must notify participants of the change.

Department of Labor and Employment. The bill will increase workload to update materials related to the Colorado Youth Employment Opportunity Act and to investigate youth employment complaints. This increase in workload can be accomplished within existing resources.

Local Government

The bill will increase costs, workload, and revenue for County Clerk and Records offices beginning in FY 2020-21. They will have costs for informing preregistrants that their voter information will be public record beginning on July 1, 2021, producing and mailing ballots to 16 and 17 year old voters, training staff on new procedures, and other related tasks. Counties will be reimbursed by the state for the direct costs of producing and mailing ballots to 16 and 17 year olds, as described above.

Effective Date

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

Sections 1 through 9 and 11 through 50 of the bill take effect on July 1, 2021.

State Appropriations

For FY 2020-21, the bill requires an appropriation of \$397,955 from the General Fund to the Department of State and \$1,410 from the General Fund to the Department of Personnel and Administration.

State and Local Government Contacts

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|----------------|------------------------|--------------------|
| Counties | County Clerks | Education |
| Human Services | Information Technology | Judicial |
| Labor | Local Affairs | Personnel |
| Revenue | School Districts | Secretary of State |