



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 21-0658
Prime Sponsors: Rep. Luck

Date: June 24, 2021
Bill Status: Postponed Indefinitely
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Bill Topic: VOTER PROOF OF CITIZENSHIP REQUIREMENT

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

The bill requires that all voters verify proof of U.S. citizenship before casting a ballot, or cast only provisional ballots until proof is provided. For FY 2021-22, the bill increases revenue and expenditures for the Secretary of State, and increases expenditures for county clerks indefinitely.

Appropriation Summary: For FY 2021-22, the bill requires an appropriation of \$552,000 to the Secretary of State.

Fiscal Note Status: The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Table 1
State Fiscal Impacts Under HB 21-1086

Table with 4 columns: Category, Sub-category, Budget Year FY 2021-22, and Out Year FY 2022-23. Rows include Revenue, Expenditures, Transfers, and TABOR Refund.

Summary of Legislation

To vote in Colorado elections, this bill requires that every eligible elector provide proof of United States citizenship in person at a county clerk and recorder. Once a voter has verified citizenship, the Secretary of State must record this information in the computerized statewide voter registration list.

Only voters with verified citizenship status may receive mail ballots; all other registered voters may receive a provisional mail ballot, with instructions on how to return the provisional ballot and verify citizenship in person with their county clerk and recorder. Voters may not return a provisional ballot by mail. A voter has three days to appear at the county clerk and provide proof of citizenship, otherwise the provisional ballot is not counted.

State Revenue

This bill will increase cash fund revenue to the Secretary of State's Office (SOS) by \$552,000 in FY 2021-22. The revenue is from business filing fees, which are deposited into the Department of State Cash Fund. This additional fee revenue is subject to TABOR.

Fee impact on businesses and professions. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. Under current law, the SOS is authorized to adjust fees so that the revenue generated approximates its direct and indirect costs. The SOS is primarily funded through business filing fees. To cover the costs described in the State Expenditures section below, fees will need to be raised to cover all or some of the costs of this bill. The fees affected and the actual amount of fee charges will be set administratively by the SOS based on cash fund balance, total program costs, and the estimated number of professional activities subject to fees.

State Expenditures

For FY 2021-22 only, the bill increases state expenditures in the SOS by \$552,000. The Information Services Division in the SOS must program changes to all of the department's databases involved in registering new voters and maintaining existing voter rolls. Programming requires substantial development of the Statewide Voter Registration System (SCORE) in order to track voter type, new registrations, verification of citizenship status, and new provisional ballots.

Local Government

The fiscal note estimates that printing and mailing costs increase for county clerks by \$1.22 for each voter and new registrant. There are approximately 4.1 million registered voters in Colorado so printing and mailing expenses for a coordinated election will increase by at least \$5.0 million statewide

In addition, all clerks will need new staff to process in-person citizenship verification for all Colorado voters, and to verify citizenship and process new registrations. This staff cost has not been estimated.

Effective Date

The bill was postponed indefinitely by the House State, Civic, Military, and Veterans Affairs Committee on March 29, 2021.

State Appropriations

For FY 2021-22, the bill requires an appropriation of \$552,000 from the Department of State Cash Fund to the Secretary of State.

State and Local Government Contacts

Counties

Local Affairs

State

County Clerks

Municipalities

Law

Special Districts