HB 19-1048

Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Bill Topic:	LOCAL ELECTION OF LIBRARY DISTRICT TRUSTEES

Summary of Fiscal Impact:	☐ State Revenue ☐ TABOR Refund
	☐ State Expenditure ☒ Local Government
	☐ State Transfer ☐ Statutory Public Entity
	The bill changes the method of selecting library district boards of trustees, and modifies the procedures for establishing candidacy, the terms of office, and filling vacancies. The bill will increase local government expenditures for elections.
Appropriation Summary:	No appropriation is required.
Fiscal Note Status:	The fiscal note reflects the introduced bill.

Summary of Legislation

Under current law, a library district's board of trustees (library board) is appointed by members of a committee selected by the governing body that creates the district. If the district was established by the combined action of more than one governmental body, both bodies send representatives to the committee created to select the library board.

This bill requires that the legislative body or bodies that establish a new library district refer a resolution to the registered voters of the district to determine if the library board is appointed (as under current law) or if the voters prefer that the newly established library board be elected. If voters choose to elect library board members, the special district must hold an election at the next odd number year county election to elect the library trustees. If voters reject the resolution, library board members will be appointed. Governing bodies that have already created a library district may, but are not required to refer a similar resolution to the voters of that library district.

The bill sets time lines for the public notification and conduct of library district elections, procedures for establishing candidacy, terms of office, and filling vacancies. At any time prior to the remaining 90 days of a board member's term of service, a petition requesting an election may be filed and an election must be conducted to fill that seat at the next county election.

Local Government

This bill will increase local government expenditures each time a library district is created to conduct an election to determine whether trustees are elected by voters or appointed. If voters prefer to elect trustees, the local government must then conduct a second election to select those trustees, and to elect trustees at regularly scheduled elections in the future. The bill also increases expenditures for counties and municipalities that choose to refer a resolution to district voters.

The cost to counties to conduct a special district election varies widely, but has been estimated at an average cost of $10.19 per vote cast. For example, if voters cast 5,000 votes for a special district election, counties are estimated to have about $51,000 in election-related expenditures. Additional county costs may be incurred to find and lease voter service and polling centers. These costs will vary by district. Under current law, when a county conducts a coordinated election for more than one political subdivision, an intergovernmental agreement details all cost sharing and reimbursement to be paid to the county for actual expenses incurred to conduct the election.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

County Clerks   Secretary of State   Special Districts