



**Colorado  
Legislative  
Council  
Staff**

**Initiative # 95**

**INITIAL FISCAL  
IMPACT STATEMENT**

**Date:** January 16, 2018

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**LCS TITLE:** CONGRESSIONAL REDISTRICTING

<b>Fiscal Impact Summary</b>	<b>FY 2018-19</b>	<b>FY 2020-21</b>	<b>FY 2021-2022</b>
<b>State Revenue</b>			
<b>State Expenditures</b>	<b>\$0</b>	<b>\$192,947</b>	<b>\$499,385</b>
General Fund	\$0	\$192,947	\$499,385

**Note:** This *initial* fiscal impact estimate has been prepared for the Title Board. If the initiative is placed on the ballot, Legislative Council Staff may revise this estimate for the Blue Book Voter Guide if new information becomes available.

**Summary of Measure**

Each state is granted representatives in the U.S. Congress based on the state's share of the total U.S. population. Every ten years following the U.S. census, the state's congressional districts must be redrawn so that each district has equal population. Currently in Colorado, the General Assembly is responsible for dividing the state into congressional districts. This initiative creates the Colorado Citizens' Congressional Redistricting Commission and requires the commission to create a congressional redistricting plan, thus removing this responsibility from the General Assembly.

**Commission membership.** The commission consists of 12 members, of which 4 members must be registered with the state's largest political party, 4 members must be registered with the state's second largest political party, and 4 members must be unaffiliated with any party. Applicants to the commission must establish that they have demonstrated experience in representation or advocating for the interests of groups, organizations, or associations. Applicants must also have voted in the last two general elections and meet the affiliation requirements outlined above.

**Commissioner selection.** The first six commissioners — two from the state's largest party, two from the state's second largest party, and two who are unaffiliated with any party — are chosen by lot in a public setting from the list of qualified applicants. The Speaker of the House, the President of the Senate, and the minority leaders of each house each choose 10 applicants from the list of remaining candidates, and send their lists to the Chief Judge of the Colorado Court of Appeals. Nonpartisan legislative staff also send a list of 10 to 20 unaffiliated candidates to the Chief Judge. The Chief Judge chooses the remaining six commissioners from these lists. The Chief Judge must enhance the commission's racial and gender diversity, and ensure that each of the state's congressional districts is represented on the commission.

If any commissioner runs for Congress before new district lines are drawn, the state must pay for ten billboards prominently displaying the commissioner's name and picture, with the statement "I helped draw my own district lines as a member of the redistricting commission."

**Congressional plan review and approval.** The commission must maintain a website where all Colorado residents may submit proposed maps or written comments. It must also hold at least three hearings in each congressional district, including at least one held west of the continental divide and one held south of El Paso County and east of the continental divide. These hearings must be broadcast live through the commission's website for public access. A super-majority of eight commissioners are required to approve a map to set congressional districts, but a map may be vetoed jointly by all four unaffiliated commissioners. The commission must adopt a map and send it to the Colorado Supreme Court on or before August 10 of the year after the decennial census. If the commission fails to meet this deadline, any commissioner may present a map to the court. A final map must be approved by the court by November 30th for the upcoming year's election cycle.

Any commissioner or any person who submitted written comments to the commission may appeal a map adopted by the commission to the Colorado Supreme Court. If the court finds that the map violates federal or state law or fails to meet qualifications outlined in the initiative, the court must return the map to the commission with directions for the changes needed. If the commission fails to adopt a new map within ten days, any commissioner or person who submitted written comments to the commission may propose changes to the map. The court must adopt the changes that are most responsive to the court's directions.

**State Expenditures**

Based on the estimated cost of congressional redistricting under current law, **Initiative 95 is expected to increase state General Fund expenditures for congressional redistricting by \$192,947 in FY 2020-21 and \$499,385 in FY 2021-22.** These impacts are shown in Table 1 and described below.

<b>Table 1. Expenditures Under Initiative #95</b>			
<b>Cost Components</b>	<b>FY 2018-19</b>	<b>FY 2020-21</b>	<b>FY 2021-22</b>
Personal Services	-	(\$11,508)	\$271,139
FTE	-	(0.5 FTE)	2.3 FTE
Operating Expenses & Capital Outlay	-	3,625	7,711
Computer Equipment, Software, and Website	-	100,139	26,548
Professional Services/Legal Services	-	51,756	129,390
Special Session	-	0	(125,000)
Travel and Per Diem	-	39,163	117,489
Benefits and Leased Space	-	9,772	72,108
<b>TOTAL</b>	<b>\$0</b>	<b>\$192,947</b>	<b>\$499,385</b>

**Personal services.** Under current law, congressional redistricting plans are prepared by the General Assembly with nonpartisan legislative staff support during the legislative session (January to May). This requires 1.7 FTE in FY 2020-21. Under Initiative 95, congressional redistricting is expected to require 1.2 FTE in FY 2020-21 and 2.3 FTE in FY 2021-22. This increase in staff, and associated costs, are due largely to the requirement for a website through which members of the public may submit maps and comments, the requirement to post comments on the website, and the requirement to broadcast all public hearings live through the commission's website.

**Computer equipment and software.** Congressional redistricting requires computers that use GIS and mapping software, as well as data and printing services. This measure also specifies certain requirements for the commission's website, including allowing the submission of public maps and comments and the broadcasting of meetings that exceed the requirements of current law. These new requirements are expected to cost \$100,139 in FY 2020-21 and \$26,548 in FY 2021-22 more than current law.

**Professional/Legal services.** Professional and legal consultation may be sought during the drawing of congressional redistricting plans under Initiative 95. This includes legal support concerning rulemaking, open records requests, and for redistricting plans.

**Special session.** Under current law, it is assumed a special legislative session will be held in 2021 to pass the congressional redistricting plan prior to the start of the 2022 election cycle. A special session costs \$25,000 per day and five days are assumed. Under Initiative 95, the plan will be approved by the commission and no special session is required, resulting in a savings of \$125,000.

**Travel and per diem.** Under current law, it is assumed that an interim committee will hold public meetings regarding the redistricting plan. By creating a congressional redistricting commission that must hold meetings in each district, funds are needed to pay for travel expense reimbursement and per diem for staff and commission members. Under Initiative 95, costs increase for additional meetings compared to current law and for additional staff to attend the meetings.

**Leased space and employee benefits.** Leased office space and employee benefits are estimated to cost \$9,772 in FY 2020-21 and \$72,108 in FY 2021-22. This includes six months of leased space and health, life, and dental insurance for redistricting staff.

### Effective Date

If approved by voters, the initiative takes effect upon proclamation of the Governor within 30 days of the official canvas of votes at the 2018 general election.

### State and Local Government Contacts

Judicial  
Local Affairs

Law  
Legal Services

Legislative Council  
Secretary of State

## **Abstract of Initiative 95: CONGRESSIONAL REDISTRICTING**

**This initial fiscal estimate, prepared by the nonpartisan Director of Research of the Legislative Council as of January, 2018, identifies the following impacts:**

The abstract includes estimates of the fiscal impact of the initiative. If this initiative is to be placed on the ballot, Legislative Council Staff will prepare new estimates as part of a fiscal impact statement, which includes an abstract of that information. All fiscal impact statements are available at [www.ColoradoBlueBook.com](http://www.ColoradoBlueBook.com) and the abstract will be included in the ballot information booklet that is prepared for the initiative.

***State expenditures.*** Initiative 95 increases state expenditures by creating the Citizen's Congressional Redistricting Commission and shifting the responsibility of drawing congressional districts every ten years from the General Assembly to the newly created commission. Overall, this shift in responsibilities is expected to increase state expenditures by \$192,947 in FY 2020-21 and \$499,385 in FY 2021-22.