

**Schedule 13**

**Funding Request for the FY 2025-26 Budget Cycle**

State

Request Title

**R-04 Increase Security at Public Hearings and Meetings**

Dept. Approval By: Christopher Beall, Deputy Secretary of State

**Supplemental FY 2024-25**

  X  

**Change Request FY 2025-26**

OSPB Approval By: OSPB Approval Not Required

**Budget Amendment FY 2025-26**

Summary Information	Fund	FY 2024-25		FY 2025-26		FY 2026-27
		Initial Appropriation	Supplemental Request	Base Request	Elected Official	Budget Estimate
<b>Total</b>		<b>\$2,854,402</b>	<b>\$0</b>	<b>\$3,033,367</b>	<b>\$31,048</b>	<b>\$6,942</b>
FTE		25.8	0.0	26.3	0.0	0.0
GF		\$0	\$0	\$0	\$0	\$0
CF		\$2,854,402	\$0	\$3,033,367	\$31,048	\$6,942
RF		\$0	\$0	\$0	\$0	\$0
FF		\$0	\$0	\$0	\$0	\$0

Line Item Information	Fund	FY 2024-25		FY 2025-26		FY 2026-27
		Initial Appropriation	Supplemental Request	Base Request	Elected Official	Budget Estimate
					<b>Column 4 Total Funds</b>	<b>Column 5 Total Funds</b>
<b>Total</b>		<b>\$2,854,402</b>	<b>\$0</b>	<b>\$3,033,367</b>	<b>\$31,048</b>	<b>\$6,942</b>
FTE		25.8	0.0	26.3	0.0	0.0
GF		\$0	\$0	\$0	\$0	\$0
Administration						
Personal Services						
CF		\$2,854,402	\$0	\$3,033,367	\$31,048	\$6,942
RF		\$0	\$0	\$0	\$0	\$0
FF		\$0	\$0	\$0	\$0	\$0

CF Letternote Text Revision Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	<b>If Yes, see schedule 4 fund source detail.</b>
RF Letternote Text Revision Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	
FF Letternote Text Revision Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	
Requires Legislation?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	
Type of Request?	State Prioritized Request				
Interagency Approval or Related Schedule Impacts Other Agency					



## Department Priority: R-04 Increase Security at Public Hearings and Meetings

### Summary of Funding Change for FY 2025-26

Fund Type	FY 2025-26 Base Request	FY 2025-26 Incremental Request	FY 2026-27 Incremental Request
Total Funds	\$3,033,367	\$31,048	\$6,942
General Fund	\$0	\$0	\$0
Cash Funds	\$3,033,367	\$31,048	\$6,942
Reappropriated Funds	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0
FTE	26.3	0.0	0.0

### Summary of Request

**Problem or Opportunity:**

The Department of State (Department) is constitutionally and statutorily required to conduct public meetings and hearings (e.g., Title Board, Rulemaking, Administrative Hearings regarding violations of laws and rules related to campaign finance, elections, and licenses and registrations for lobbyists, notaries, and durable medical equipment). Since 2020, there have been persistent, credible threats of violence directed at individuals and organizations that administer elections across the U.S., including in Colorado. The Department has a public duty and a moral obligation to ensure the safety of members of the public and state employees who participate in and attend these hearings and events. Historically, the Department was able to absorb this cost within its Administration Division Personal Services appropriation. However, given the intensified threat environment, the increase in expected public meetings to carry out Department obligations, and as costs have increased, this is no longer sustainable.

**Proposed Solution:**

The Department coordinates with the Colorado State Patrol (CSP), a division of the Department of Public Safety (CDPS), to provide security for hearings. CSP invoices the Department for the cost of officers' time in covering these events. The Department requests additional spending authority to ensure it can cover these costs in FY 2025-26.

**Fiscal Impact of Solution:**

The Department requires an additional \$31,048 in ongoing spending authority starting in FY 2025-26 in the Administration Division Personal Services appropriation to be paid from the Department of State Cash Fund<sup>1</sup> to cover additional CSP usage for public hearings and meetings and increasing CSP rates. In FY 2026-27, there will be additional hearings as a result of the November 2026 General Election, so the Department requires an incremental \$6,942 in spending authority. The Department has discussed this request with the CDPS and they are aware of the additional need for CSP protection in the coming fiscal year.

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<sup>1</sup> § 24-21-104(3)(b) C.R.S.

Requires Legislation	Revenue Impacts	Impacts Another Department?	Statutory Authority
No	No	Yes, Department of Public Safety	<p>Title Board: § 1-40-106(1), C.R.S.</p> <p>Rule Making Hearings: § 24-4-103, C.R.S.</p> <p>Hearing Officer Hearings: § 24-4-104(6), C.R.S.; 24-4-105(3), C.R.S.; 24-21-108, C.R.S.</p> <p>a) Elections:</p> <p>§§ 1-1.5-105(1) &amp; (2), C.R.S.</p> <p>(HAVA); § 1-2-703, C.R.S. (Voter Reg Drive); 1-4-905.5(3), C.R.S., (Petition Entity); 1-4-905.7(3), C.R.S. (Petition Circulator Reports), SB 24-210; 1-4-909(1.7)(c), C.R.S. (Candidate Protests); 1-40-132, CRS. (Circulation of Petitions); 1-12-108, C.R.S. (Petition Protests); 1-40-132, C.R.S. (Circulation of Petition); 1-40-135(3)(a), C.R.S. (Petition Entities); 1-45-111.7, C.R.S. (Campaign Finance), HB 24-1283 (Campaign Finance -- Municipalities)</p> <p>b) Licensees &amp; Applicants:</p> <p>§ 24-21-523(3) (Notary); § 24-21-115(2)(a) (Durable Medical Equipment Supplier)</p> <p>c) Registrants:</p> <p>§ 6-16-111(6)(b), C.R.S. (Charities); § 24-6-305 (Lobbyists)</p>

### Background and Opportunity

The Department conducts and hosts numerous public hearings and events, the majority of which are required by the constitution, statute, or rule. These meetings host members of the public in the Department’s offices in private office space. While building management maintains a security presence for the office complex, it does not provide uniformed security within the Department’s offices for these public meetings, it is necessary to ensure a uniformed, official security presence at public hearings.

For many years, the Department only occasionally required security at hearings. The need was infrequent and the cost was modest, so it was absorbable within the Administration Division Personal Services appropriation. The threat environment has intensified, particularly on issues pertaining to elections, and hearings have become more contentious. A uniformed security presence is now required at hearings to ensure that the public and state employees are safe, comfortable, and secure.

In FY 2025-26, the number of meetings and hearings hosted by the Department and open to the public will increase, driven by:

- HB 24-1283 – Secretary of State Review of Municipal Campaign Finance Complaints, which enables municipalities to refer campaign finance violations to the Department;
- SB 24-210 – Modifications to Laws Regarding Elections, which creates a hearing process for complaints regarding circulator reports for candidate petitions, recall petitions, and minority party petitions;
- Pending Rule 3 of the General Policies & Administration brings hearings for notaries and durable medical equipment for the Department in-house to proceed in front of the Department’s hearing officer, rather than at the Office of Administrative Courts; provides for most elections’ hearings to be heard by the hearing officer, rather than the Elections Division; and designates the hearing officer as the Secretary’s designee to hear all lobbyist hearings, previously heard by the Secretary.
- Department-led Continuing Legal Education (CLE) courses that are open to the public.
- Title Board – As the substance of issues before Title Board has become increasingly complex, and the volume of submission has increased, both the hearing length and the overall number of hearings have expanded, bringing additional security costs.

At the same time, the cost of security has increased, with CSP’s hourly rate expected to increase by ten percent in FY 2024-25 (from \$112.00 to \$123.20 per hour). Further rate increases are likely in FY 2025-26. In addition, in FY 2025-26, the number of hearings will increase as a result of hearing activity related to the 2026 General Election. Increased usage coupled with increasing rates mean it is no longer feasible to absorb these costs within existing budget.

### **Proposed Solution and Anticipated Outcomes**

Collectively, the Department anticipates it requires 450 hours of CSP security services at public hearings and meetings in FY 2025-26. Based on an estimated rate of \$135.52 per hour for FY 2025-26, which assumes an additional 10 percent increase, \$31,048 in additional spending authority is required in the Administration Division Personal Services appropriation in FY 2025-26. An incremental increase of \$6,942 is needed in FY 2026-27 due to additional hearings related to the November 2026 General Election. This additional spending authority will enable the Department to work with CSP to have a security at all public hearings and meetings which will mitigate the risk of threatening, unruly, or otherwise disruptive behavior while providing assurance to members of the public and state employees attending the events. Absent this additional spending authority, the Department will not be able to provide security necessary to cover the many public hearings that the Department will conduct. The absence of security could result in a hostile, threatening, or uneasy environment at public hearings and meetings, which could conceivably result in a reduction in public engagement and participation as well as increased employee turnover.

The Department has discussed this request with the CDPS and they are aware of the additional need for CSP protection in the coming fiscal year.



## Assumptions and Calculations

The estimates of meeting hours and incremental spending authority required are based upon the calculations shown in the table below.

Hearing/Meeting	# of Meetings per Fiscal Year	Avg. Hours per Meeting	Additional Meeting Hours <sup>2</sup>	# of Hours per Fiscal Year	Estimated Security Hourly Rate	Estimated Cost
Title Board	22	5.0	40.0	150.0	\$135.52	\$20,328
Rulemaking	6	2.0	0.0	12.0	\$135.52	\$1,626
Continuing Legal Education (CLE)	3	2.0	0.0	6.0	\$135.52	\$813
Hearing Officer (CPF)	10	5.0	15.0	65.0	\$135.52	\$8,809
2024 Legislation: HB 24-1283 (municipal CPF) Hearings; SB 24-210 Hearings (Petitions)	35	2.5	0.0	87.5	\$135.52	\$11,858
Potential Rule 3 Hearings (Elections, Lobbyists, Notaries, DMEs)	7	3.0	-0.0	21.0	\$135.52	\$2,846
<b>Estimated FY 2025-26 Total Security Costs</b>						<b>\$46,280</b>

In FY 2023-24, the Department expended approximately \$15,232 on security expenses for hearings and meetings. Therefore, the incremental need for FY 2025-26 is \$31,048 ( $\$46,280 - \$15,232 = \$31,048$ ). Security utilization is expected to increase by approximately 15.0 percent in FY 2026-27, so the incremental need is \$6,942 ( $\$53,222 - \$15,232 - \$31,048 = \$6,942$ ).

<sup>2</sup> Throughout the year, additional meetings or hearings are sometimes required. These are captured in the “Additional Meeting Hours” column.