



Legislative  
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*Nonpartisan Services for Colorado's Legislature*

HB 18-1368

FINAL  
FISCAL NOTE

<b>Drafting Number:</b>	LLS 18-0966	<b>Date:</b>	July 18, 2018
<b>Prime Sponsors:</b>	Rep. Danielson; Melton Sen. Merrifield; Moreno	<b>Bill Status:</b>	Postponed Indefinitely
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**Bill Topic:** LOCAL CONTROL OF MINIMUM WAGE

<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue ( <i>conditional</i> )	<input checked="" type="checkbox"/> TABOR Refund ( <i>conditional</i> )
	<input type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government ( <i>conditional</i> )
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill would have permitted a unit of local government to enact laws establishing the minimum wage within its jurisdiction. It would have created a conditional impact on state revenue and local government revenue and expenditures.

**Appropriation Summary:** No appropriation was required.

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

**Summary of Legislation**

Current state law prevents local governments from enacting minimum wage laws separate from those of the state. This bill repeals that provision and allows a county, city and county, or a municipality to establish minimum wages for individuals performing work while physically present within their jurisdictions through their governing body, an initiative, or referendum.

**Background**

**Colorado's minimum wage.** Prior to 2007, Colorado's minimum wage law was set by federal law. In 2006, Colorado voters adopted an amendment to the state constitution that raised the minimum wage from \$5.15 per hour to \$6.85 per hour beginning in 2007, and from \$2.13 to \$3.02 less than the state minimum wage for tipped workers. In 2016, Colorado voters again amended the state constitution to increase the state minimum wage from \$8.31 to \$9.30 per hour beginning on January 1, 2017, after which it increases annually by \$0.90 per hour until it reaches \$12.00 per hour on January 1, 2020. Beginning January 1, 2021, it will be adjusted each year thereafter by the increase in the Consumer Price Index. The federal minimum wage is currently set at \$7.25 per hour, and \$2.13 for tipped workers.

Table 1 shows the Colorado minimum wage and tipped employee minimum wage from 2006 to 2020.

**Table 1**  
**Colorado State Minimum Wage, 2006-2020**

<b>Effective Year</b>	<b>Minimum Wage</b>	<b>Tipped Employee Minimum Wage</b>
2006	\$5.15	\$2.13
2007	\$6.85	\$3.83
2008	\$7.02	\$4.26
2009	\$7.28	\$4.26
2010	\$7.24	\$4.22
2011	\$7.36	\$4.34
2012	\$7.64	\$4.62
2013	\$7.78	\$4.76
2014	\$8.00	\$4.98
2015	\$8.23	\$5.21
2016	\$8.31	\$5.29
2017	\$9.30	\$6.28
2018	\$10.20	\$7.18
2019	\$11.10	\$8.08
2020	\$12.00	\$8.98

*Source: Colorado Department of Labor and Employment; Colo. Const. art. XVIII, § 15.*

### **Assumptions**

This fiscal notes assumes that the Division of Labor in the Colorado Department of Labor and Employment is not required to enforce local minimum wage laws or accompanying local workplace laws (e.g., overtime policies, meal and break policies, etc.) enacted by a local government under the permissive authority of the bill. For this reason, the bill is assessed as having no impact on the department.

### **State Revenue and TABOR Refund**

The bill potentially changes wages in local jurisdictions that choose to enact local minimum wage laws, which may affect state individual income taxes. Any impact on state income tax revenue and the TABOR refund amount is conditional, dependent on future decisions made by local governments. This fiscal note does not estimate how the measure will conditionally affect individuals' wages and the subsequent impact on tax collections, nor does it estimate the overall impact to businesses and the economy. Such an estimate would rely on many secondary factors outside the scope of this analysis.

### **Local Government Impact**

Any impact on local government revenue or expenditures is conditional upon future decisions made by those local governments.

**Revenue.** A local government's revenue from sales taxes may be impacted by changing the income of individuals or the expenses of business. This fiscal impact estimate would rely on many secondary factors outside the scope of this analysis.

**Expenditures.** A municipality or county that changes local law to require a unique minimum wage will change the expenses of that government in order to pay their employees a different wage amount. Additionally, each municipality or county that enacts a unique minimum wage must also create an enforcement mechanism where none currently exists, increasing local government costs. In the event that a minimum wage change is brought through an initiative or referendum, increased election costs will also be incurred.

**Effective Date**

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on May 3, 2018.

**State and Local Government Contacts**

Counties	County Assessors	County Clerks
County Coroners	District Attorneys	Fire Chiefs
Governor	Labor	Law
Local Affairs	Municipalities	Public Trustees
Revenue	School Districts	Sheriffs
Special Districts		