



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 19-0836 **Date:** February 25, 2019
Prime Sponsors: Rep. McCluskie; Roberts **Bill Status:** House Trans. & Local Govt.
Fiscal Analyst: Ariel Hammerquist | 303-866-3469
 Ariel.Hammerquist@state.co.us

Bill Topic: AG REPRESENTATION OF DOR IN LICENSE APPEALS

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill requires the Department of Law to represent the Department of Revenue in driver's license and identification card revocation appeals. This bill will increase state expenditures on an ongoing basis.

Appropriation Summary: For FY 2019-20, this bill requires an appropriation of \$621,780 to the Department of Revenue.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Table 1
State Fiscal Impacts Under HB 19-1182

		FY 2019-20	FY 2020-21
Revenue		-	-
Expenditures	General Fund	\$621,780	\$621,780
	Total FTE	3.3 FTE	3.3 FTE
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

Under current law, district attorneys represents the Department of Revenue (DOR) in driver's license and identification card revocation appeals, upon request of the attorney general. This bill requires the Department of Law (DOL) to represent the DOR for these appeals. DOL attorneys representing the DOR is permitted to appear for the appeals hearing by telephone or other court authorized remote method.

Assumptions

From 2015 to 2018, there were 480 appeals cases handled by district attorneys representing the DOR, with an average of 120 appeals per year. The fiscal note assumes there will be 120 appeals per year and that, on average, each appeal requires approximately 50 hours of attorney time.

State Expenditures

Beginning in FY 2019-20, state General Fund expenditures will increase by \$621,780 in the Department of Revenue. The DOR will require 6,000 hours of legal services, provided by the Department of Law, at \$103.63 per hour, the DOL requires 3.3 FTE to represent the DOL and provide these legal services.

Local Government

This bill decreases county government costs and workload for district attorneys. These impacts will vary by local government based on the number of appeals hearings held in each judicial district. Currently, district attorneys are not compensated by DOR for representing them in appeals hearings. The fiscal note assumes that any cost and workload savings for district attorney offices will be reallocated to other cases and that county governments will not reduce appropriations as a result of this bill.

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 Appropriations

For FY 2019-20, the bill requires a General Fund appropriation of \$621,780 to the Department of Revenue, with the full amount reappropriated to the Department of Law along with an additional allocation of 3.3 FTE.

State and Local Government Contacts

District Attorneys Judicial Law Revenue