



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SCR 19-002

**FINAL
FISCAL NOTE**

Drafting Number: LLS 19-1024	Date: June 26, 2019
Prime Sponsors: Sen. Lundeen	Bill Status: Postponed Indefinitely
Rep. Geitner	Fiscal Analyst: Max Nardo 303-866-4776 max.nardo@state.co.us

Bill Topic: MODIFICATIONS TO OPERATIONS OF GENERAL ASSEMBLY

Summary of Fiscal Impact:

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

The resolution would have submitted a proposal to the voters of Colorado at the 2020 election to modify the operations of the General Assembly by decreasing the length of the legislative session, instituting a biennial budget process, and limiting the number of bills and resolutions a member can introduce. It would have decreased state expenditures on an ongoing basis.

Appropriation Summary: No appropriation would have been required.

Fiscal Note Status: The fiscal note reflects the introduced resolution. The resolution was not enacted into law; therefore, the impacts identified in this analysis did not take effect.

**Table 1
State Fiscal Impacts Under SCR 19-002**

		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Revenue		-	-	-	-
Expenditures	General Fund	-	(\$786,912)	(\$393,456)	(\$786,912)
	Total FTE	-	Potential FTE Reduction		
Transfers		-	-	-	-
TABOR Refund		-	-	-	-

Summary of Legislation

This concurrent resolution refers a ballot question to voters changing the operations of the state legislature. The referred measure will appear on the ballot for the election to be held November 2020. If approved by voters, the measure will:

- decrease the length of the regular session of the state legislature from 120 days to 90 days in even-numbered years and 60 days in odd-numbered years;
- limit the number of bills and resolutions that a member of the legislature may introduce to two bills and two resolutions in any regular legislative session, excluding bills for appropriations and bills recommended by committees;
- allow both chambers of the legislature to create a restrictive process to authorize an exemption from the specified bill and resolution limits; and
- implement a biennial state budget cycle beginning in FY 2022-23, and change the process for considering the general appropriations bill. The process includes the Joint Budget Committee dividing the appropriations bill by subject matter for consideration by the committees of reference in each chamber. Committees may not increase funding for any agency or institution.

Background

The state constitution currently requires that the state legislature convene no later than the second Wednesday in January. Regular legislative sessions may not exceed 120 days. Rules established by the Senate and House of Representatives generally limit the number of bills that a legislator may introduce to five bills in any legislative session, with some exceptions.

State Expenditures

If approved by the voters, the resolution will reduce state expenditures by about \$786,912 in FY 2020-21, and \$393,456 in FY 2021-22. Additionally, workload will decrease for the Legislative and Executive branches of state government. Local governments and the state government will also incur election costs related to this, and any other, statewide ballot measures. All fiscal impacts are conditional upon the resolution's approval by voters in the November 2020 election. The resolution specifies that the biennial budget process begins in FY 2022-23, but the fiscal note assumes that the bill's other provisions go into effect in FY 2020-21.

Legislative Department. The state legislature maintains a permanent staff of non-partisan employees, including economists, budget analysts, research analysts, fiscal analysts, auditors, attorneys, computer programmers, and administrative staff, spread across six service agencies. The resolution both shortens the length of the legislative session and reduces the number of bills that may be introduced by a legislator. Service agency workload is anticipated to decrease by an amount equivalent to approximately 5.0 FTE; however, the actual reduction in workload and the specific service agencies impacted will depend on how restrictive the process is for members to request permission to introduce more than two bills.

To the extent that the state legislature considers fewer bills each year, drafting, analysis, and committee work are all concurrently reduced; however, there is not a direct correlation between the number of bills considered and the workload of each service agency. For example, Legislative Council Staff provides many services besides staffing committees of reference or writing fiscal notes. The office prepares quarterly economic and tax revenue forecasts, provides staff support

and research for legislators and interim committees, and writes the Blue Book voter guide for all referred and initiated ballot measures. As such, a reduction in the number of bills does not automatically translate to a reduced workload for that service agency. Adjustments to appropriations for the legislative service agencies will not be necessary until the 2021 legislative session; at that time, the service agencies will make any necessary reductions through the budget process.

Beginning in FY 2020-21, the reduced length of each legislative session will reduce state expenditures for legislator travel and per diem. Travel and per diem expenses are expected to decrease by \$786,912 in odd-numbered years and \$393,456 in even-numbered years. These expenses are based on FY 2018-19 expenses and prorated for the decreased length of session under this bill.

Executive Branch. The resolution changes the timing and workload for Executive Branch agencies. Similar to legislative service agencies, reducing the number of bills and the length of the legislative session will reduce workload for the Executive Branch. Some agencies will respond to fewer requests for information related to the preparation of fiscal notes, will monitor and respond to fewer bills, or will provide less testimony or expert assistance in the deliberation of bills. However, even though the total number of bills is reduced, the total number affecting any given agency may still be substantial in any given year. The measure is likely to require a reduction in budget staff, which will be addressed by each agency through the regular budget process. Any savings will likely be a combination of General Fund, cash funds and federal funds.

There will also likely be an added cost to make the necessary programming changes to the computer and software systems used by several Executive Branch agencies. The systems need to be adjusted to account for the biennial budget process, any corresponding change to contracting and purchasing cycles, and the difference between the new biennial state budget cycle and annual federal grant and state reporting cycles. The work will initially be accommodated within existing appropriations, and any additional appropriations will be requested through the budget process.

Election expenditure impact (existing appropriations). This bill includes a referred measure that will appear before voters at the November 2020 general election. Although no additional appropriation is required, certain election costs are incurred by the state when ballot measures are referred to voters. These costs, paid using existing appropriations, are in two areas. First, current law requires the state to reimburse counties for costs incurred conducting a ballot measure election, paid from the Department of State Cash Fund in the Secretary of State's Office. Second, the text and title of the measure must be published in one legal newspaper per county and an analysis of the measure must be included in the Ballot Information Booklet (Blue Book) mailed to all registered voter households, paid from the Ballot Analysis Revolving Fund in the Legislative Department.

A single ballot measure costs the state about \$3.5 million, and each additional ballot measure increases the cost by about \$100,000. The fiscal note assumes that there will be other ballot measures, so the marginal cost of referring this proposal to the voters is \$100,000.

Local Government

If approved by the voters, the bill will likely reduce the workload for local governments to respond to fewer requests for information related to the preparation of fiscal notes, to monitor and respond to fewer bills, and to provide less testimony or expert assistance in the deliberation of bills. The amount of the workload reduction will differ among jurisdictions and has not been estimated.

Effective Date

The resolution was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on April 17, 2019.

State and Local Government Contacts

All State Agencies