



Legislative
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HB 20-1267

**REVISED
FISCAL NOTE**

(replaces fiscal note dated February 24, 2020)

Drafting Number: LLS 20-0172
Prime Sponsors: Rep. Tipper
Sen. Gonzales

Date: March 16, 2020
Bill Status: Senate Judiciary
Fiscal Analyst: Erin Reynolds | 303-866-4146
Erin.Reynolds@state.co.us

Bill Topic: **TRANSPARENCY OF TELECOM PROVIDERS CORRECTIONAL FACILITIES**

Summary of Fiscal Impact:

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

The bill requires providers of telecommunication services in jails to maintain and report certain data to the Public Utilities Commission, and grants the commission authority over these service providers. It will increase state expenditures on an ongoing basis beginning in FY 2020-21.

Appropriation Summary: For FY 2020-21, the bill requires and includes an appropriation of \$13,347 to the Department of Regulatory Agencies.

Fiscal Note Status: The revised fiscal note reflects the reengrossed bill.

**Table 1
State Fiscal Impacts Under HB 20-1267**

		FY 2020-21	FY 2021-22
Revenue		-	-
Expenditures	Cash Funds	\$13,347	\$6,673
	Centrally Appropriated	\$4,466	\$2,233
	Total	\$17,813	\$8,906
	Total FTE	0.2 FTE	0.1 FTE
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

The bill requires penal telecommunications service providers that provide services to local jails to maintain and report on service-related data and records to the Public Utilities Commission (PUC) on a quarterly basis (unless the information is unchanged), including:

- a copy of the existing contract between the provider and the government entity;
- the total number of calls, and total minutes for calls, made from the jail;
- all revenue collected by the provider for the provision of services;
- all commissions paid to the jail or any other government entity by the provider;
- a copy of the provider's unclaimed funds policy; and
- detailed rates and fees charged by the provider to persons in custody.

The PUC must publish the information on its website in publicly accessible way within 30 days after receipt. In addition, the bill gives the PUC authority over telecommunication services provided to jails.

State Expenditures

Expenditures from the Telecommunications Utilities Cash Fund will increase by \$17,813 and 0.2 FTE in FY 2020-21 and \$8,906 and 0.1 FTE in FY 2021-22 and ongoing. These expenditures are shown in Table 2 and discussed below.

Table 2
Expenditures Under HB 20-1267

	FY 2020-21	FY 2021-22
Department of Regulatory Agencies		
Personal Services	\$13,347	\$6,673
Centrally Appropriated Costs*	\$4,466	\$2,233
Total Cost	\$17,813	\$8,906
Total FTE	0.2 FTE	0.1 FTE

* Centrally appropriated costs are not included in the bill's appropriation.

Department of Regulatory Agencies. The PUC will promulgate rules related to verification of the accuracy of the information provided by telecommunications services providers and related audit and enforcement activities under the PUC's new oversight authority, which will require 0.1 FTE Rate and Financial Analyst in FY 2020-21. In addition, beginning in FY 2020-21 and ongoing, the PUC requires 0.1 FTE Rate and Financial Analyst to review provider submissions and oversee any potential compliance and enforcement issues. This assumes that there are over 40 jails in the state and that data review will require approximately 30 minutes per submission.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$4,466 in FY 2020-21 and \$2,233 in FY 2021-22.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State Appropriations

For FY 2020-21, the bill requires and includes a cash fund appropriation from the Telecommunications Utilities Fund of \$13,347 and 0.2 FTE to the Department of Regulatory Agencies.

State and Local Government Contacts

Corrections
Law

Counties
Regulatory Agencies

Information Technology
Sheriffs