



Legislative Council Staff  
Nonpartisan Services for Colorado's Legislature

# Final Fiscal Note

**Drafting Number:** LLS 21-0629  
**Prime Sponsors:** Rep. Lynch

**Date:** June 25, 2021  
**Bill Status:** Postponed Indefinitely  
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**Bill Topic:** PREGNANCY-BASED PARKING PLACARD

**Summary of Fiscal Impact:**

- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

The bill would have created a pregnancy-based parking placard to allow the use of reserved parking for people in their third trimester until two months after giving birth. Beginning in FY 2021-22, the bill would have increased state and local expenditures on an ongoing basis.

**Appropriation Summary:**

For FY 2021-22, the bill would have required an appropriation of \$120,902 to the Department of Revenue.

**Fiscal Note Status:**

This fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

**Table 1**  
**State Fiscal Impacts Under HB 21-1035**

		Budget Year FY 2021-22	Out Year FY 2022-23
Revenue		-	-
Expenditures	General Fund	\$120,902	\$24,003
Transfers		-	-
TABOR Refund		-	-

## **Summary of Legislation**

The bill creates the pregnancy-based parking placard, which allows a person who is in their third trimester of pregnancy through the first two months after giving birth to park in spaces reserved for persons with disabilities. Misuse of reserved parking is a class B traffic infraction subject to a \$150 fine and a \$32 surcharge, and misuse of a parking placard can lead to revocation of the placard and further related offenses.

## **Background**

Currently, a person with a disability may be issued an identifying placard that allows them to make use of reserved parking for persons with disabilities. In order to qualify for a placard, an individual must have written validation from a health professional that they meet the necessary requirements.

The Department of Revenue (DOR) purchases parking placards and validation stickers from Colorado Correctional Industries in the Department of Corrections. These placards cost \$0.54 each, and are paid for from the License Plate Cash Fund. The DOR supplies the placards to county clerk and recorders offices who validate that an applicant is qualified for a placard and issue the placards through the Colorado Driver License, Record, Identification, and Vehicle Enterprise Solution (DRIVES) system. Qualifying individuals with disabilities do not pay a material fee for parking placards, and individuals that qualify for a placard under this bill would likewise not pay a fee.

## **Comparable Crime Analysis**

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of criminal conviction for those offenses.

**Prior conviction data.** This bill expands the current offense of improper use of reserved parking, a class B traffic infraction, to include pregnancy placards. To form an estimate on the prevalence of this expanded crime, the fiscal note analyzed the existing offense of improper use of reserved parking as a comparable crime. From 2018 to 2020, 7 offenders have been sentenced and convicted for this existing offense, of which 3 were male, 3 were female, and 1 where gender was unknown. Demographically, 5 were White and 2 where race was not identified. Because the bill is not expected to have a tangible impact on traffic infraction-related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note.

Visit [leg.colorado.gov/fiscalnotes](http://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## **Data and Assumptions**

In 2019, there were around 63,500 births in Colorado. The fiscal note assumes that around 70 percent of pregnant persons will request the temporary parking placard per year. The fiscal note also assumes that the program will become available on January 1, 2022; see Technical Note.

## State Expenditures

The bill increases General Fund expenditures in the DOR by \$120,902 in FY 2021-22 and by \$24,003 in FY 2022-23 and thereafter, which will be used to backfill the appropriate cash funds as there is no fee assessed on disability placards. Costs are shown in Table 2 and detailed below.

**Table 2**  
**Expenditures Under HB 21-1035**

	FY 2021-22	FY 2022-23
<b>Department of Revenue</b>		
Computer Programming	\$108,900	-
Parking Placards	\$12,002	\$24,003
<b>Total Cost</b>	<b>\$120,902</b>	<b>\$24,003</b>

**Department of Revenue.** The department will have computer programming and materials costs to implement the bill.

- **Computer programming.** In FY 2021-22 only, the bill requires one-time computer programming costs of \$108,900 to make required changes in the DRIVES system, including creating a new inventory type, as well as updates to the registration and issuance reports for the new placard. These changes will require 484 hours of computer programming at a cost of \$225 per hour, and are paid from the DRIVES Cash Fund.
- **Parking placards.** The bill requires DOR to order up to 44,450 placards from the Department of Corrections. At a cost of \$0.54 per placard, this will require an expenditure of up to \$12,002 in FY 2021-22 (half-year impact), and up to \$24,003 in FY 2022-23 and out years, paid from the License Plate Cash Fund.
- **Updates and training.** The bill will require the DOR to update relevant rules, forms, manuals and websites. It will also require the DOR to provide training for staff, law enforcement and other entities affected by this bill. Any workload increases or costs associated with these activities can be accomplished within existing appropriations.

**Department of Corrections.** Colorado Correctional Industries will design and create the new placard using funding from the DOR. No change in appropriations is required.

## Local Government

The bill will increase workload at county clerks and recorders offices to provide pregnancy placards to qualifying persons.

## Technical Note

The bill's mid-September effective date does not allow adequate implementation time. As such, the fiscal note has assumed a January 1, 2022, effective date.

## Effective Date

The bill was postponed indefinitely by the House Public and Behavioral Health and Human Services Committee on March 16, 2021.

## State Appropriations

For FY 2021-22, the bill would have required a General Fund appropriation of \$120,902 to the Department of Revenue.

## State and Local Government Contacts

Counties

District Attorneys

Local Affairs

Sheriffs

County Clerks

Information Technology

Municipalities

Transportation

Corrections

Judicial

Revenue