



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 21-0354
Prime Sponsors: Rep. Exum; Van Winkle
Sen. Hisey

Date: February 23, 2021
Bill Status: House Trans. & Local Govt.
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Bill Topic: **DRIVERS' LICENSES FOR FOSTER CHILDREN**

Summary of Fiscal Impact:

<input checked="" 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 Human Services to reimburse counties for foster children to attend driver education courses; limits government liability related to foster youth who drive; and updates driver licenses documentation requirements for foster youth. The bill may increase state revenue and will increase state expenditures and local revenue on an ongoing basis.

Appropriation Summary: For FY 2021-22, this bill requires a \$54,180 appropriation to the Department of Human Services.

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

Table 1
State Fiscal Impacts Under HB 21-1084

		Budget Year FY 2021-22	Out Year FY 2022-23
Revenue		-	-
Expenditures	General Fund	\$54,180	\$72,240
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

This bill requires the Department of Human Services (DHS) to reimburse county departments of human services for the cost of sending 15 to 21 year olds in their custody to a driver's education course. The DHS may accept gifts, grants, and donations to cover the cost of reimbursing counties. The bill also establishes limits on liability for county department of human services, guardians ad litem, and the Division of Youth Services related to youths driving under their respective care. Finally, the Department of Revenue (DOR) must establish forms and documentation for children in the custody of the DHS or a county department of human services who are applying for a driver permit or license.

Data and Assumptions

Data show that 60 percent of youths hold either a learner's permit or a minor's driver license. Because driver education classes are only required for 15 year olds to receive a permit, the fiscal note assumes that 100 percent of 15 year-olds; 75 percent of 16 year olds; 50 percent of 17 year olds; and 25 percent of 18 year old or older drivers will attend a driver's education class. Based on the number of foster youths between the ages of 15 and 19 in the child welfare system in care for at least 3 to 12 months as of January 31, 2021, the fiscal note estimates 140 foster youths will attend a driver's education course, as shown in Table 2.

Table 2
Foster Youth in Driver's Education Per Year

Age Group	# in Driver's Ed.
15 years olds	46
16 years olds	47
17 year olds	34
18+ year olds	13
Total	140

Finally, the fiscal note assumes an effective date of October 1st, and prorates the number of youths in driver's education to 105 in FY 2021-22.

State Revenue

Starting in FY 2021-22, state revenue may increase on an ongoing basis from licensing fees and gifts, grants, and donations.

Increase in driver license issuance. To the extent that the bill increases the number of minor driver licenses and permits issued, revenue to the Licensing Services Cash Fund will increase; this fund is subject to TABOR. Currently, the fee for an instruction permit is \$16.80 and the fee for a driver license is \$28.00. Based on the assumed number of foster kids who will take a class, the fiscal note assumes any increase in fee revenue will be minimal.

Gifts, grants, and donations. The DHS may have increased revenue from the receipt of gifts, grants, and donations. At the time of writing, no source of gifts, grants, or donations have been identified. Gifts, grants, and donations are not subject to TABOR.

State Expenditures

State expenditure in the DHS will increase by \$54,180 in FY 2021-22 and by \$72,240 in FY 2022-23 to reimburse counties for sending youth in their custody to driving school. This amount uses the estimated population discussed in the Assumptions section and assumes an average driver's education course cost of \$516 per youth.

TABOR refunds. Under the December 2020 Legislative Council Staff Economic and Revenue Forecast, the state is not expected to collect revenue above the TABOR limit in either FY 2021-22 or FY 2022-23, and refund obligations are not anticipated for these years. This bill does not change these expectations concerning refunds to taxpayers.

Local Government

County departments of human services will have increased revenue equal to the amount of funding distributed by the DHS, as outlined in the State Expenditure section. If a county is currently using discretionary funds to pay for driver education, the bill will allow counties to use those funds for other purposes. If a county is not currently paying for driver education courses, expenditures will increase for that county, offset by grant revenue.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2021-22, the bill requires a General Fund appropriation of \$54,180 to the Department of Human Services.

State and Local Government Contacts

Counties	Human Services	Information Technology
Judicial	Revenue	Transportation