



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 23, 2021)

Drafting Number:	LLS 21-0469	Date:	May 3, 2021
Prime Sponsors:	Rep. Tipper; Ricks Sen. Moreno	Bill Status:	House Appropriations
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Bill Topic: IMMIGRATION LEGAL DEFENSE FUND

Summary of Fiscal Impact:	<input checked="" 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 creates the Immigration Legal Defense Fund to provide grants to organizations representing indigent individuals in immigration court. Beginning in FY 2021-22, the bill increases state expenditures on an ongoing basis.

Appropriation Summary: For FY 2021-22, the bill includes an appropriation for \$100,000 to the Department of Labor and Employment.

Fiscal Note Status: This revised fiscal note reflects the introduced bill, as amended by the House Judiciary Committee

**Table 1
State Fiscal Impacts Under HB 21-1194**

		Budget Year FY 2021-22	Out Year FY 2022-23
Revenue		-	-
Expenditures	General Fund	\$98,303	\$96,955
	Centrally Appropriated	\$1,697	\$3,045
	Total Expenditures	\$100,000	\$100,000
	Total FTE	0.1 FTE	0.2 FTE
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

The bill creates the Immigration Legal Defense Cash Fund administered by the Department of Labor and Employment (CDLE) to make grants to organizations that represent indigent individuals appearing before an immigration court in Colorado. Interested organizations must apply annually to the CDLE, which will evaluate applications and select grant recipients based on their expertise starting on January 31, 2022, and each January 2 thereafter.

The CDLE must award grants so that 70 percent of the grants go to organizations serving indigent clients who are detained for deportation proceedings. The remaining 30 percent of the grants must go to organizations serving indigent clients in other immigration cases, with two-thirds of the 30 percent used for clients outside the Denver Metro area. The CDLE will collect and compile reports from grant recipients and submit a consolidated report to the General Assembly starting on July 1, 2022.

Finally, the bill appropriates \$100,000 to the Immigration Legal Defense Cash Fund and allows the CDLE to use no more than \$15,000, or up to 5.0 percent, from the cash fund for direct and indirect administrative costs.

State Revenue

The bill allows the CDLE to seek, accept, and expend gifts, grants or donations from private or public sources. Starting in FY 2021-22, to the extent the CDLE receives gifts, grants, and donations, revenue to the Immigration Legal Defense Cash Fund will increase. At the time of this writing, no sources of gifts, grants, and donations have been identified. Gifts, grants, and donations are not subject to the state's TABOR revenue limit.

State Expenditures

Starting in FY 2021-22, the bill increases state expenditures in the CDLE by \$100,000 per year. The CDLE requires 0.2 FTE to develop applications, review applicants, award grants, and to consolidate and submit a report to the General Assembly. Costs in FY 2021-22 are prorated for an October 1, 2021, start date and the General Fund pay date shift. Costs are shown in Table 2 below.

Table 2
Expenditures Under HB 21-1194

	FY 2021-22	FY 2022-23
Department of Labor and Employment		
Personal Services	\$7,704	\$11,557
Grants	\$90,598	\$85,398
Centrally Appropriated Costs	\$1,697	\$3,045
Total Cost	\$100,000	\$100,000
Total FTE	0.1 FTE	0.2 FTE

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with bills are usually appropriated in the Long Bill or supplemental appropriations bills. Instead, these costs are appropriated in this bill and include employee insurance and supplemental employee retirement payments of \$1,697 in FY 2021-22 and \$3,045 in FY 2022-23.

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 includes an appropriation of \$100,000 from the General Fund to the Department of Labor and Employment.

State and Local Government Contacts

Human Services

Information Technology

Labor