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Fiscal Note

Drafting Number: LLS 22-0218
Prime Sponsors: Rep. Jodeh
Sen. Pettersen

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Bill Status: House Finance
Fiscal Analyst: Will Clark | 303-866-4720
Will.Clark@state.co.us

Bill Topic: **EPILEPSY AWARENESS SPECIAL LICENSE PLATE**

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input checked="" 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 creates the Epilepsy Awareness special license plate. It increases state and local revenue and state expenditures on an ongoing basis.

Appropriation Summary: For FY 2022-23, the bill requires an appropriation of \$29,671 to the Department of Revenue.

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

Table 1
State Fiscal Impacts Under HB 22-1014

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue	Cash Funds	\$41,281	\$10,335
	Total	\$41,281	\$10,335
Expenditures	General Fund	\$23,940	-
	Cash Funds	\$5,731	\$1,435
	Total	\$29,671	\$1,435
Transfers		-	-
Other Budget Impacts	TABOR Refund	\$41,281	\$10,335
	General Fund Reserve	\$3,591	-

Summary of Legislation

This bill creates the Epilepsy Awareness group special license plate. The license plate will be available to all applicants that pay two one-time special license plate fees of \$25 and give a donation to a designated Colorado nonprofit organization as determined by the Colorado Department of Revenue (DOR). The nonprofit organization may establish a minimum donation amount to qualify for the license plate, and must use the donations to support individuals affected by epilepsy in Colorado.

Assumptions

Expected demand for the plate is based on the actual demand for the Amyotrophic Lateral Sclerosis (ALS) group special license plate.

State Revenue

The bill is anticipated to increase state cash fund revenue by \$41,281 in FY 2022-23 and \$10,335 in FY 2023-24, as shown in Table 2. This revenue is subject to TABOR.

Table 2
Revenue Under HB 22-1014

	FY 2022-23	FY 2023-24
License Plate Sets Issued	711	178
License Plate Cash Fund (\$8.06)	\$5,731	\$1,435
Highway Users Tax Fund (\$25)	\$17,775	\$4,450
License Services Cash Fund (\$25)	\$17,775	\$4,450
Total Cost	\$41,281	\$10,335

Standard license plate fees. Upon registration, all vehicle owners must pay a plate and tab production fee of \$8.06 for a digital passenger vehicle plate set, \$4.73 for an embossed passenger vehicle plate set, or \$3.01 for a motorcycle plate set. All specialty plates are manufactured as digital plates, and the fiscal note assumes motorcycle issuance will be minimal. Fees from plate and tab production are credited to the License Plate Cash Fund (LPCF).

Special license plate fees. Applicants for the Epilepsy Awareness group special license plate are also required to pay an additional \$50 in fees, of which \$25 is credited to the Highway Users Tax Fund (HUTF) and \$25 is credited to the Licensing Services Cash Fund.

Colorado Department of Transportation. Of the HUTF revenue, 65 percent is credited to the State Highway Fund (SHF) for expenditure by the department, 26 percent is credited to counties, and 9 percent is credited to municipalities. Table 3 outlines the estimated HUTF revenue generated under this bill.

**Table 3
Estimated HUTF Distributions Under HB 22-1014**

	FY 2022-23	FY 2023-24
State Highway Fund (65 percent)	\$11,553	\$2,892
Counties (26 percent)	\$4,622	\$1,157
Municipalities (9 percent)	\$1,600	\$401
Total HUTF Distribution	\$17,775	\$4,450

State Expenditures

State expenditures in the DOR will increase by \$29,671 in FY 2022-23 and \$1,435 in FY 2023-24, as shown in Table 4 and detailed below.

**Table 4
Expenditures Under HB 22-1014**

	FY 2022-23	FY 2023-24
Department of Revenue		
Plate and Tab Production Cost	\$5,731	\$1,435
Computer Programming	\$23,940	-
Total Expenditures	\$29,671	\$1,435

Department of Revenue. As discussed in the State Revenue section, plate tab and production costs for special group plates are \$8.06 per license plate set. This fiscal note assumes that 711 license plates will be issued in FY 2022-23 and 178 will be issued in FY 2023-24. In FY 2022-23, one-time programming costs of \$23,940 are required to update the Driver License, Record, Identification and Vehicle Enterprise Solutions (DRIVES) system. Programming costs, to be paid from the General Fund, are based on 84 hours of programming at a rate of \$225 per hour, as well as \$5,041 in other implementation costs, which include implementation support to the vendor from DOR staff and quality assurance support from the Office of Information Technology. License plate and tab production costs are expended from the LPCF.

In addition, DOR will be required to update rules, forms, manuals, and the department's website to reflect the change in law. Additionally, the DOR will provide training to authorized agents, Title and Registration Section staff, and law enforcement. Any workload increases or costs associated with these activities can be accomplished within existing appropriations.

Other Budget Impacts

TABOR refunds. The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by the amounts shown in the State Revenue section above. This estimate assumes the December 2021 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2023-24. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save.

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by \$3,591 in FY 2022-23, which will decrease the amount of General Fund available for other purposes.

Local Government

This bill will increase local government HUTF revenue by the amounts shown in Table 3. HUTF revenue generated by license plate fees is distributed to counties (26 percent) and municipalities (9 percent) for transportation needs.

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 2022-23, the bill requires appropriations of \$29,671 to the Department of Revenue. Of this total:

- \$23,940 is from the General Fund; and
- \$5,731 is from the License Plate Cash Fund.

State and Local Government Contacts

Corrections
Information Technology

Counties
Revenue

County Clerks
Transportation