



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Final Fiscal Note

**Drafting Number:** LLS 22-0634  
**Prime Sponsors:** Rep. Baisley

**Date:** May 20, 2022  
**Bill Status:** Postponed Indefinitely  
**Fiscal Analyst:** Erin Reynolds | 303-866-4146  
Erin.Reynolds@state.co.us

**Bill Topic:** **NATURALLY ACQUIRED IMMUNITY COVID-19**

**Summary of Fiscal Impact:**

- |   |  |
|---|--|
| <input 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     |

The bill would have required an employer or a state agency imposing a COVID-19 vaccine or testing requirement to instead allow a person to provide documentation demonstrating a naturally acquired immunity to the virus. It may have increased state and local workload.

**Appropriation Summary:** No appropriation was required.

**Fiscal Note Status:** The final fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

## Summary of Legislation

The bill requires an employer or a state agency that imposes a COVID-19 vaccine or testing requirement to instead allow a person to provide documentation demonstrating a naturally acquired immunity to the virus. The documentation may be either a positive COVID test or an antibody test.

## State Expenditures

The Colorado Department of Public Health and Environment may be required to update rules to allow for the natural immunity requirement in addition to vaccination. The Division of Human Resources in the Department of Personnel and Administration will have increased workload to update current COVID-19 tracking mechanisms to include natural immunity, as well as to modify existing documentation, policies, and processes. No change in appropriations is required for either agency.

## Local Governments, School Districts, and Statutory Public Entities

Any state or local government employer that mandates COVID vaccines or testing will have to update processes to allow for documentation demonstrating a naturally acquired immunity to the virus.

## Technical Note

The allowance for naturally acquired immunity documentation in lieu of a vaccine or COVID-19 testing may conflict with current federal mandates regarding COVID-19 vaccination of eligible staff at certain health care facilities.

## Effective Date

The bill was postponed indefinitely by the House Health and Insurance Committee on March 2, 2022.

## State and Local Government Contacts

Counties	Information Technology	Law
Municipalities	Personnel	Public Health and Environment