



Legislative Council Staff  
Nonpartisan Services for Colorado's Legislature

# Final Fiscal Note

<b>Drafting Number:</b>	LLS 22-0519	<b>Date:</b>	June 23, 2022
<b>Prime Sponsors:</b>	Rep. Ortiz; Boesenecker Sen. Ginal	<b>Bill Status:</b>	Vetoed by Governor
		<b>Fiscal Analyst:</b>	Clare Pramuk   303-866-2677 clare.pramuk@state.co.us

**Bill Topic:** MUSIC THERAPIST TITLE PROTECTION

<b>Summary of Fiscal Impact:</b>	<input 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

This bill would have created a deceptive trade practice under the Colorado Consumer Code if a person uses the title of music therapist without an active music therapist board-certified credential administered by the Certification Board for Music Therapists. It might have increased state workload beginning in FY 2022-23.

**Appropriation Summary:** No appropriation would have been required.

**Fiscal Note Status:** The fiscal note reflects the rerevised bill.

## Summary of Legislation

This bill creates a deceptive trade practice under the Colorado Consumer Code if a person uses the title of music therapist without an active music therapist board-certified credential administered by the Certification Board for Music Therapists. Prior to charging a person with a class 2 misdemeanor, the Attorney General or district attorney may seek an assurance the person will discontinue the deceptive trade practice or initiate other lawful remedies or penalties.

## 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 creates a new factual basis for 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 offense.

**Prior conviction data and assumptions.** This bill creates a new factual basis for the existing offense of committing a deceptive trade practice by adding the use of the title of music therapist without being credentialed as a deceptive trade practice. From FY 2018-19 to FY 2020-21, zero offenders have been sentenced and convicted for this offense; therefore, the fiscal note assumes that there will continue to

be minimal or no additional criminal case filings or convictions for this offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice-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.

## State Expenditures

The Colorado Consumer Code is administered by the Department of Law. This bill may increase the number of complaints the department receives. The department assesses the complaints and prioritizes workload to determine which will be investigated. No change in appropriations is required.

## Effective Date

The bill was vetoed by the Governor on May 27, 2022.

## State and Local Government Contacts

Information Technology

Law