



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 22-0539 **Date:** July 11, 2022
Prime Sponsors: Sen. Donovan; Simpson **Bill Status:** Signed into Law
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Bill Topic: **TRIBAL GOVERNMENTS INCLUDED IN STATE PROGRAMS**

Summary of Fiscal Impact:

<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

The bill requires the inclusion of tribal governments as partners in state operations and as recipients of local government grant programs, where applicable. Legislative Council Staff and the Commission on Indian Affairs must prepare specified reports. The bill increases state expenditures in FY 2022-23 only.

Appropriation Summary: For FY 2022-23, the bill includes an appropriation of \$25,000 to the Governor's Office.

Fiscal Note Status: The final fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under SB 22-104

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue		-	-
Expenditures	General Fund	\$25,000	-
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$3,750	-

Summary of Legislation

The bill requires that any new or amended state law that identifies local governments as eligible recipients of grants or other state benefits also include tribal governments or agencies. A new or amended law is not invalidated if it fails to include tribal governments, but the tribes must be included in any subsequent revision.

By December 1, 2022, Legislative Council Staff must report the state grant programs that provide benefits to local governments, and if those programs currently include tribal governments or agencies as eligible recipients. By March 1, 2023, the Colorado Commission on Indian Affairs (CCIA) must prepare a second report in consultation with the Ute Mountain Ute Tribe and the Southern Ute Indian Tribe. The CCIA report must identify opportunities and make recommendations for tribal governments to be included in the operations or programs of the state as a partner. Reports are submitted to the Legislative Council Committee of the General Assembly.

State Expenditures

The bill increases state General Fund expenditures by \$25,000 in the CCIA in the Lieutenant Governor's Office. In FY 2022-23 only, the CCIA will issue a request for proposals and contract with a vendor to facilitate stakeholders, conduct legal research, and prepare the final report.

The bill also increases workload for the CCIA to manage the request process and vendor contract, and to participate as a stakeholder along with tribal representatives. Legislative Council Staff will have a small workload increase to conduct legislative research and prepare a report. These workload increases do not require additional appropriations.

Other Budget Impacts

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 \$3,750 in FY 2022-23, which will decrease the amount of General Fund available for other purposes.

Effective Date

The bill was signed into law by the Governor on May 24, 2022, and takes effect August 9, 2022, assuming no referendum petition is filed.

State Appropriations

For FY 2022-23, the bill includes a General Fund appropriation of \$25,000 to the Commission on Indian Affairs.

State and Local Government Contacts

Governor

Legislative Council Staff