



Legislative Council Staff
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Fiscal Note

Drafting Number: LLS 23-0326 Date: February 20, 2023
Prime Sponsors: Sen Roberts: Pelton R. Bill Status: Senate Agriculture
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Bill Topic: SUNSET CONTINUE CUSTOM PROCESSING MEAT ANIMALS

- Summary of Fiscal Impact:
[X] State Revenue [] TABOR Refund
[X] State Expenditure [] Local Government
[] State Transfer [] Statutory Public Entity

Sunset Bill. This bill continues the regulation of the custom meat processing in the Department of Agriculture, which is scheduled to repeal on September 1, 2023. State fiscal impacts include only the continuation of the program's current revenue and expenditures. The program is continued through September 1, 2032.

Appropriation Summary: No appropriation is required.

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

Table 1
State Fiscal Impacts Under SB 23-152^1

Table with 3 columns: Category, Budget Year FY 2023-24, and Out Year FY 2024-25. Rows include New Impacts (Revenue, Expenditures, Other Budget Impacts) and Continuing Impacts (Revenue, Expenditures, Other Budget Impacts).

^1 Table 1 shows the new impacts resulting from changes to the program under the bill, and the continuing impacts from extending the program beyond its current repeal date. Because the bill continues a program without making any changes, there are no new impacts. The continuing program impacts will end if the bill is not passed and the program is allowed to repeal.

Summary of Legislation

The bill extends the Custom Processing of Meat Animals Act until September 2032 and implements the recommendations of the Department of Regulatory Agencies' 2022 Sunset Review. The bill repeals obsolete provisions, consolidates duplicative language, requires any civil penalties be deposited into the General Fund, and standardizes two conflicting sections to clarify that violations of the act are a petty offense, in compliance with changes to sentencing provisions made in 2021.

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. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior conviction data and assumptions. This bill reclassifies violations of the Custom Processing of Meat Animals Act from a class 2 misdemeanor to a petty offense. From FY 2019-20 to FY 2021-22, 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 for more information about criminal justice costs in fiscal notes.

Continuing Program Impacts

Based on the DORA's 2022 Sunset Review, the Department of Agriculture had revenue and expenditures of about \$30,000 and 0.3 FTE to administer the act in FY 2021-22. If this bill is enacted, state revenue and expenditures will continue for the program starting in FY 2023-24 in a similar amount. This continuing revenue is subject to the state TABOR limit. If this bill is not enacted, the program will end on September 1, 2024, following a one year wind-down period, and state revenue and expenditures will decrease starting in FY 2024-25 by about the amounts shown in Table 1.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed. Provisions related to civil and criminal penalties apply to offenses committed on or after the bill's effective date.

State and Local Government Contacts

Agriculture

Judicial

Law

Regulatory Agencies

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: leg.colorado.gov/fiscalnotes.