



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 20-0259
Prime Sponsors:

Date: October 7, 2019
Bill Status: Bill Request
Fiscal Analyst: Ariel Hammerquist | 303-866-3469
Ariel.Hammerquist@state.co.us

Bill Topic: DATA SHARING SUBCOMMITTEE RECOMMENDATIONS

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

This bill creates the Trusted Interoperability Platform Advisory Committee to create a strategic plan. The bill also amends the definition of psychologically traumatic event for the purposes of worker's compensation. This bill will increase state revenue and workload beginning in FY 2020-21.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the bill draft requested by the Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems.

Summary of Legislation

This bill creates the Trusted Interoperability Platform Advisory Committee in the Department of Public Safety (DPS) to develop a strategic plan to implement a trusted interoperability platform that is capable of securely exchanging information between criminal and juvenile justice systems and community health agencies. The advisory committee consists of 11 members, including: the executive directors of the Departments of Corrections (DOC), Human Services (DHS), and DPS; the Chief Information Officer of the Office of Information Technology (OIT); the director of the Division of Youth Services in DHS; the State Court Administrator (SCA); and five members appointed by the executive director of DPS who represent law enforcement, behavioral health, and state criminal and health information exchanges. Members serve without compensation or reimbursement.

The advisory committee is required to meet at least four times per calendar year to create a strategic plan to implement a trusted interoperability platform, which must be submitted to the General Assembly by September 1, 2021. The strategic plan must outline a system that facilitates uniform and maximum interfacing among criminal and juvenile justice state agencies, county jails, community behavioral health centers, and health information exchanges to provide relevant information to the management and care of individuals and to make data available for research and evaluation. The advisory committee is repealed on October 1, 2021.

This bill also amends the definition of psychologically traumatic event to include audible exposure for the purposes of worker's compensation.

## State Revenue

Beginning in FY 2020-21, the bill will minimally increase state revenue to the Judicial Department. Civil cases concerning worker's compensation claims will generate state revenue from filing fees, currently about \$225 per case. State revenue from civil court fees are subject to TABOR.

## State Expenditures

Beginning in FY 2020-21, the bill will increase workload in the DPS and for members of the advisory committee to create a strategic plan for a trusted interoperability platform. It will also minimally increase workload in the Judicial Department and state agencies related to the change in worker's compensation definition.

**Department of Public Safety.** The bill increases DPS workload to provide support to the advisory committee. Because the advisory committee is charged with creating a strategic plan only and as the bill does not specify a timeline beyond the reporting of the strategic plan, the fiscal note assumes that any resources to implement a trusted interoperability platform will be requested through additional legislation or the annual budget process.

**Advisory committee.** Workload will increase in DOC, DHS, DPS, OIT, and the Judicial Department for leadership to participate at least quarterly in the advisory committee. This workload can be accomplished within the existing appropriations of each department.

**Judicial Department.** Beginning in FY 2020-21, trial court workload will increase to the extent that additional worker's compensation claims are filed as a result of the amended definition of psychologically traumatic event. This increase is expected to be minimal and absorbable within existing appropriations.

**Worker's compensation.** Amending the definition of psychologically traumatic event to include audible exposure may increase worker's compensation claims. State agencies will adjust appropriations through the annual budget process, if required.

**TABOR refunds.** The bill will increase state General Fund obligations for TABOR refunds in FY 2020-21 and in FY 2021-22. Under current law and the September 2019 Legislative Council Staff forecast, the measure will correspondingly increase the amount refunded to taxpayers, which will first be issued via reimbursements to local governments, followed by sales tax refunds made available on income tax returns for tax years 2021 and 2022, depending on the total amount to be refunded each year.

## Departmental Difference

DPS estimates they would require 0.4 FTE and \$32,886 for an analyst to help with committee meetings and operations, and prepare materials and strategic plan drafts for committee members. The fiscal note assumes these functions can be handled within existing appropriations, which is consistent with other advisory committees.

**Effective Date**

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

**State and Local Government Contacts**

Corrections  
Judicial

Human Services  
Labor

Information Technology  
Public Safety

