



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

Bill 6

FISCAL NOTE

Drafting Number: LLS 20-0381
Prime Sponsors:

Date: October 22, 2019
Bill Status: Bill Request
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Bill Topic: **NO WAIVER SOVEREIGN IMMUNITY FOREST MANAGEMENT**

**Summary of
Fiscal Impact:**

- | | |
|---|--|
| <input checked="" type="checkbox"/> State Revenue | <input checked="" 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 grants the state immunity from injuries resulting from fire management activities. This bill reduces future state revenue, expenditures, and workload on an ongoing basis.

**Appropriation
Summary:** No appropriation required.

**Fiscal Note
Status:** This fiscal note reflects the Wildfire Matters Review Committee bill request.

Summary of Legislation

Under current law, the state waives immunity from a civil action for injuries that result from a prescribed fire. This bill grants the state immunity from injuries resulting from fire management activities which include prescribed fires, broadcast burns, or slash pile burns started or maintained by the state or any state employee.

State Revenue

State cash fund revenue from civil filing fees is reduced by a minimal amount from fewer civil actions. Civil filing fee revenue is subject to TABOR.

State Expenditures

This bill will reduce future expenditures resulting from civil actions for losses from prescribed fires. The amount of the reduction will depend on the size of the fire, the amount of losses sustained, claims paid, and associated legal costs. Potential claim costs and legal fees are currently included in the actuarial analysis by the risk management program in the Department of Personnel and Administration. Any future expenditure reductions in the risk management program from extending sovereign immunity will be addressed through the annual budget process. Trial court workload in the Judicial Department is also decreased by a minimal amount from fewer civil actions.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature and applies to civil actions commenced on or after the effective date.

State and Local Government Contacts

Counties
Law

Higher Education
Natural Resources

Judicial
Public Safety