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M E M O R A N D U M

April 24, 2017

TO: Representative Dan Pabon

FROM: Amanda Hayden, Fiscal Analyst (303-866-4918)

SUBJECT: Fiscal Assessment of Proposed Amendments SB040_L.025 and SB040_L.032

This memorandum is an assessment of the fiscal impact of the attached proposed amendments to SB17-040, Amendments L.025 and L.032. This fiscal assessment is for the impact of the bill with inclusion of these amendments only. Any other combination of or added amendment could influence the fiscal impact.

Summary of Proposed Amendments

Amendment L.025 strikes language in the section of statute defining public records that clarifies that the terms "state" and "agency" include the Judicial Department of state government. As a result, the Judicial Department is not subject to the Colorado Open Records Act. Amendment L.032 strikes language from the bill stating that any current or former public employee who provides a written declaration attesting that the release of his or her personal identifying information would pose a credible risk to his or her safety may request that such information be withheld from public records released in searchable or structured data format. As a result, custodians will not be required to redact personal information from certain records upon request.

Fiscal Impact of Amendments

Amendment L.025 eliminates the state General Fund expenditure impact of \$72,462 and 0.8 FTE in FY 2017-18 and \$80,077 and 1.0 FTE in FY 2018-19 in the Office of the State Public Defender. Amendment L.032 eliminates the cash fund expenditure impact of \$154,122 and 0.1 FTE in FY 2017-18 and \$6,803 and 0.1 FTE in FY 2018-19 in the Secretary of State's Office.

Bill's Revised Fiscal Impact with Amendments

The bill's revised fiscal impact with Amendments L.025 and L.032 is a net increase in revenue, workload, and expenditures associated with responding to CORA requests for searchable or structured data formats. Because fees charged, costs, and workload cannot be predicted in advance, this analysis assumes that agencies will address the need for any additional appropriations through the annual budget process. The bill's revised fiscal impact with Amendments L.025 and L.032 is shown in Table 1.

Table 1. Revised Fiscal Impact of SB17-040		
Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
Cash Funds		Increase.
State Expenditures		
General Fund		
Cash Funds		Increase.
TABOR Impact		Increase.
Appropriation Required: None.		
Future Year Impacts: Ongoing increase in state revenue and expenditures.		

DRAFT
4.5.17

SB040_L.025

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB17-040 be amended as follows:

- 1 Amend reengrossed bill, page 4, line 6, strike "(6)(a)(I) and".
- 2 Page 4, strike line 27.
- 3 Page 5, strike lines 1 through 8.

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4.12.17

SB040_L.032

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB17-040 be amended as follows:

- 1 Amend reengrossed bill, page 8, line 12, strike "(3.5)(b.5),".
- 2 Page 9, strike lines 7 through 27.
- 3 Page 10, strike lines 1 through 9.

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