



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 26-087: CREATE LEGISLATIVE LEAVE JOB PROTECTION FOR GA MEMBERS

Prime Sponsors:

Sen. Wallace

Fiscal Analyst:

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Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill entitles certain legislators to take legislative leave from their outside employment to serve in the legislature.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures
- Local Government
- School District
- Statutory Public Entity

Appropriations. No appropriation required.

**Table 1
State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

Beginning January 1, 2027, the bill entitles certain legislators, defined as “qualified members,” to take legislative leave from their outside employment to serve in the legislature. To qualify for legislative leave, a legislative member must not directly manage more than 20 people as part of their outside employment or have an annual individual or household income that exceeds 120 percent of the area median income. An employer that must maintain a nonpartisan role is exempted.

Legislative leave is limited to the duration of the regular or extraordinary session of the General Assembly and may be paid, unpaid, or partially paid at the discretion of the outside employer. Legislative leave must be requested in advance and protects a qualified member’s employment similar to the federal Family Medical Leave Act (FMLA) and the state Family and Medical Leave Insurance Program (FAMLI). Unlike FMLA and FAMLI, legislative leave does not protect health insurance benefits. The bill specifies that legislative leave does not relieve a qualified member from the member’s constitutional requirement to devote their personal attention their duties.

State Expenditures

All State Agencies

To the extent that state employees become qualified members and request legislative leave, their agencies will be required to provide legislative leave, except in situations where the agency or employee are required to be nonpartisan. This may result in an increase in costs for temporary staff or other adjustments in workload to ensure that an employee’s duties are covered during legislative leave. Any impact is assumed to occur infrequently and can be managed within existing appropriations to state agencies.

Department of Personnel and Administration

The Department of Personnel and Administration may have a minimal increase in workload to update rules, technical guidance, existing documents, materials, communications, and training. This workload can be accomplished within existing appropriations.

Local Government – School District – Statutory Public Entity

Like state agencies, local governments, school districts, and statutory public entities will be required to provide legislative leave for qualified members, which may result in increased costs to cover their workload. Impacts to any specific local government, school district, or statutory public entity are expected to be minimal.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Labor

Personnel

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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 the [General Assembly website](#).