



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1186: SUNSET REGULATION OF CASH-BONDING AGENTS

Prime Sponsors:

Rep. Mabrey; Soper
Sen. Ball; Weissman

Fiscal Analyst:

Colin Gaiser, 303-866-2677
colin.gaiser@coleg.gov

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Version: Initial Fiscal Note

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

Summary Information

Overview. The bill continues the regulation of cash-bonding agents and professional cash-bail agents until September 1, 2039.

Types of impacts. The bill impacts the following areas through FY 2036-37 from continuing an existing program scheduled to repeal:

- State Expenditures
- State Revenue

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

| Type of Impact | Budget Year FY 2026-27 | Out Year FY 2027-28 |
|-------------------------|---------------------------|------------------------|
| State Revenue | \$0 | \$35,000 |
| State Expenditures | \$0 | \$68,000 |
| State Diversion | \$0 | \$33,000 |
| Change in TABOR Refunds | \$0 | \$35,000 |
| Change in State FTE | 0.0 FTE | 0.5 FTE |

Summary of Legislation

The bill continues the regulation of cash-bonding agents and professional cash-bail agents by the Division of Insurance in the Department of Regulatory Agencies (DORA) until September 1, 2039.

Background

The Division of Insurance in the DORA provides regulatory oversight of cash-bonding and professional cash-bail agents, referred to as "bail bonding agents." Cash-bonding agents are authorized to write an unlimited amount of bail to an unlimited number of clients, while professional cash-bail agents are authorized to write bail for not more than twice the amount of the qualification bond filed with the division. In FY 2023-24, there were three registered cash-bonding agents and 19 registered professional cash-bail agents.

Continuing Program Impacts

Revenue and Expenditures

The program is expected to have annual expenditures of \$68,000 and 0.5 FTE to continue regulating cash-bonding and professional cash-bail agents, as well as \$35,000 in revenue from application and renewal fees and premium statement fees. This continuing impact is based on FY 2024-25 revenue and expenditures. It is assumed that expenditures not covered by fee revenue are paid from available funds in the Division of Insurance cash fund. If this bill is enacted, current revenue and expenditures will continue for the program starting in FY 2026-27. This continuing revenue is subject to the state TABOR limits.

If this bill is not enacted, the program will end on September 1, 2027, following a one-year wind-down period. If allowed to repeal, state revenue and expenditures will decrease starting in FY 2027-28 by the amounts shown in Table 1.

State Diversions

The bill continues a diversion from the General Fund of about \$33,000 per year starting in FY 2027-28. The revenue diversion occurs because the costs of regulating bond agents is paid from the Division of Insurance Cash Fund without being fully supported by fees received on this regulated population. The Division of Insurance Cash Fund is primarily supported by premium tax revenue that would otherwise be credited to the General Fund when not used to support operations within the division. If this bill is not enacted, this diversion from the General Fund will end in FY 2027-28.

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

Regulatory Agencies