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SB 19-061

**REVISED
FISCAL NOTE**

(replaces fiscal note dated January 21, 2019)

Drafting Number: LLS 19-0554
Prime Sponsors: Sen. Tate; Zenzinger
Rep. Arndt

Date: April 17, 2019
Bill Status: House Health & Insurance
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Bill Topic: SELF-CONTAINED BREATHING APPARATUS TESTING AND CERTIFICATION

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill authorizes the Department of Public Safety to promulgate rules that incorporate current federal standards for certification and recertification of self-contained breathing apparatus pressure vessels. The bill will increase state expenditures beginning in FY 2019-20, but may reduce expenditures for local governments and special districts on an ongoing basis.

Appropriation Summary: For FY 2019-20, the bill requires an appropriation of \$40,291 to the Department of Public Safety.

Fiscal Note Status: The revised fiscal note reflects the reengrossed bill.

**Table 1
State Fiscal Impacts Under SB 19-061**

		FY 2019-20	FY 2020-21
Revenue			
Expenditures	General Fund	\$40,291	\$39,090
	Centrally Appropriated	\$8,092	\$9,391
	Total	\$48,383	\$48,481
	Total FTE	0.5 FTE	0.6 FTE
Transfers			
		-	-
TABOR Refund			
		-	-

Summary of Legislation

This bill authorizes the Department of Public Safety (DPS) to promulgate rules that incorporate current federal standards for certification and recertification of self-contained breathing apparatus (SCBA) pressure vessels.

Beginning January 1, 2020, a SCBA pressure vessel must be certified as meeting all state and federal standards; and be within its recommended service life following certification or, after recertification or requalification, in accordance with federal testing standards.

Background

SCBA pressure vessels have a maximum service life of 15 years, and are subject to regular testing in accordance with federal standards. The federal government has approved special permit DOT-SP 16320 which allows a pressure vessel to be considered for extended service up to 30 years after its original manufacturing date if the pressure vessel is requalified by modal acoustic emission testing as described in the special permit.

State Expenditures

This bill will increase General Fund expenditures for the DPS by \$48,383 and 0.5 FTE in FY 2019-20 and \$48,481 and 0.6 FTE in FY 2020-21 and ongoing. These costs are shown in Table 2 and explained below.

**Table 2
Expenditures Under SB 19-061**

	FY 2019-20	FY 2020-21
Department of Public Safety		
Personal Services	\$35,018	\$38,520
Operating and Capital Outlay	\$5,273	\$570
Centrally Appropriated Costs*	\$8,092	\$9,391
Total Cost	\$48,383	\$48,481
Total FTE	0.5 FTE	0.6 FTE

*Centrally appropriated costs are not included in the bill's appropriation.

Division of Fire Prevention and Control — DPS. The division will implement the provisions of the bill. Based on the workload associated with the Safe Cigarette Program, the fiscal note assumes that the division requires 0.6 FTE of a compliance specialist to set rules at minimum standards based on federal requirements and ensure that third-party vendors are meeting the standards when enacting the rules. Personal services costs are adjusted for the General Fund paydate shift and the bill's effective date.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$8,092 in FY 2019-20 and \$9,391 in FY 2020-21.

Local Government and Special Districts

This bill may reduce expenditures for local governments and special districts that currently replace pressure vessels at the end of their initial recommended service life. The cost of retesting and recertifying pressure vessels may be offset by savings on new equipment.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

State Appropriations

For FY 2019-20, the bill requires a General Fund appropriation of \$40,291 and an allocation of 0.5 FTE to the Department of Public Safety.

State and Local Government Contacts

Public Safety