



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Fiscal Note

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<b>Drafting Number:</b>	LLS 23-0747	<b>Date:</b>	March 13, 2023
<b>Prime Sponsors:</b>	Rep. Taggart; Lukens	<b>Bill Status:</b>	House State Affairs
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<b>Bill Topic:</b>	<b>PROTECTION FOR HELICOPTER SEARCH AND RESCUE</b>
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<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input 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

The bill extends civil immunity to individuals or organizations that assists local governments with volunteer helicopter flights in search and rescue operations. The bill may decrease state revenue and expenditures in the Judicial Department by a minimal amount beginning FY 2023-24.

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<b>Appropriation Summary:</b>	No appropriation is required.
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<b>Fiscal Note Status:</b>	The fiscal note reflects the introduced bill.
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## Summary of Legislation

The bill extends immunity from civil liability for damage or injury to an individual, nonprofit organization, for-profit corporation, private organization, or other person that voluntarily assists a local government with use of a helicopter for search and rescue operations. Immunity is extended if the organization or individual:

- has an agreement to operate the helicopter on behalf of the governmental entity leading the search and rescue operation;
- employs or contracts with a licensed pilot;
- meets certain safety and training requirements; and
- is in compliance with all requirements of the Federal Aviation Administration (FAA).

The bill also establishes criteria that pilots and helicopters used in search and rescue operations must satisfy in order to qualify for immunity.

## **State Revenue and Expenditures**

The bill may reduce trial court activity and filing fee revenue in the Judicial Department. The bill extends immunity from civil liability for damage or injury, except in cases of gross negligence or willful misconduct, to individuals or organizations providing volunteer helicopter flights to local governments engaged in search and rescue operations. Because the bill extends immunity from civil liability, it potentially decreases civil cases; however, given the limited scope of the legislation, the decrease is anticipated to be minimal and no change in appropriations is required.

## **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## **State and Local Government Contacts**

Counties

Judicial

Local Affairs

Natural Resources