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Final Fiscal Note

Drafting Number: LLS 22-0219 Date: August 10, 2022
Prime Sponsors: Rep. Exum; Ricks Bill Status: Signed into Law
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Bill Topic: DELTA SIGMA THETA SPECIAL LICENSE PLATE

- Summary of Fiscal Impact:
[X] State Revenue [X] TABOR Refund
[X] State Expenditure [X] Local Government
[] State Transfer [] Statutory Public Entity

The bill creates the Delta Sigma Theta special license plate. It increases state and local revenue and state expenditures on an ongoing basis.

Appropriation Summary: For FY 2022-23, the bill requires and includes an appropriation of \$27,437 to the Department of Revenue.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under HB 22-1103

Table with 4 columns: Category, Sub-category, Budget Year FY 2022-23, and Out Year FY 2023-24. Rows include Revenue (Cash Funds, Total), Expenditures (General Fund, Cash Funds, Total), Transfers, and Other Budget Impacts (TABOR Refund, General Fund Reserve).

Summary of Legislation

This bill creates the Delta Sigma Theta special license plate. By January 1, 2023, the license plate is available to applicants who are members of the Delta Sigma Theta sorority and pay one-time special license plate fees of \$50. Applicants must provide the Department of Revenue (DOR) or an authorized agent with sufficient evidence to prove they are a member of the sorority.

Assumptions

Expected demand for the plate is based on the actual demand for the American Indian group special license plate.

State Revenue

The bill is anticipated to increase state cash fund revenue by \$82,561 in FY 2022-23 and \$20,669 in FY 2023-24, as shown in Table 2. This revenue is subject to TABOR.

Table 2
Revenue Under HB 22-1103

	FY 2022-23	FY 2023-24
License Plate Sets Issued	1,422	356
License Plate Cash Fund (\$8.06)	\$11,461	\$2,869
Highway Users Tax Fund (\$25)	\$35,550	\$8,900
License Services Cash Fund (\$25)	\$35,550	\$8,900
Total Cost	\$82,561	\$20,669

Standard license plate fees. Upon registration, all vehicle owners must pay a plate and tab production fee of \$8.06 for a digital passenger vehicle plate set, \$4.73 for an embossed passenger vehicle plate set, or \$3.01 for a motorcycle plate set. All specialty plates are manufactured as digital plates, and the fiscal note assumes motorcycle issuance will be minimal. Fees from plate and tab production are credited to the License Plate Cash Fund (LPCF).

Special license plate fees. Applicants for the Delta Sigma Theta special license plate are also required to pay an additional \$50 in fees, of which \$25 is credited to the Highway Users Tax Fund (HUTF) and \$25 is credited to the Licensing Services Cash Fund.

Colorado Department of Transportation. Of the HUTF revenue, 65 percent is credited to the State Highway Fund (SHF) for expenditure by the department, 26 percent is credited to counties, and 9 percent is credited to municipalities. Table 3 outlines the estimated HUTF revenue generated under this bill.

**Table 3
Estimated HUTF Distributions Under HB 22-1103**

	FY 2022-23	FY 2023-24
State Highway Fund (65 percent)	\$23,107	\$5,785
Counties (26 percent)	\$9,243	\$2,314
Municipalities (9 percent)	\$3,200	\$801
Total HUTF Distribution	\$35,550	\$8,900

State Expenditures

State expenditures in the DOR will increase by \$27,437 in FY 2022-23 and \$2,869 in FY 2023-24, as shown in Table 4 and detailed below.

**Table 4
Expenditures Under HB 22-1103**

	FY 2022-23	FY 2023-24
Department of Revenue		
Plate and Tab Production Cost	\$11,461	\$2,869
Computer Programming	\$15,976	-
Total Expenditures	\$27,437	\$2,869

Department of Revenue. As discussed in the State Revenue section, plate tab and production costs for special group plates are \$8.06 per license plate set. This fiscal note assumes that 1,422 license plates will be issued in FY 2022-23 and 356 will be issued in FY 2023-24. In FY 2022-23, one-time programming costs of \$12,600 are required to update the Driver License, Record, Identification and Vehicle Enterprise Solutions (DRIVES) system. Programming costs, to be paid from the General Fund, are based on 56 hours of programming at a rate of \$225 per hour, as well as \$3,376 in other implementation costs, which include implementation support to the vendor from DOR staff and quality assurance support from the Office of Information Technology. License plate and tab production costs are expended from the LPCF.

In addition, the DOR will be required to update rules, forms, manuals, and the department's website to reflect the change in law. Additionally, the DOR will provide training to authorized agents, Title and Registration Section staff, and law enforcement. Any workload increases or costs associated with these activities can be accomplished within existing appropriations.

Other Budget Impacts

TABOR refunds. The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by the amounts shown in the State Revenue section above. This estimate assumes the December 2021 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2023-24. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save.

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by \$2,396 in FY 2022-23, which will decrease the amount of General Fund available for other purposes.

Local Government

This bill will increase local government HUTF revenue by the amounts shown in Table 3. HUTF revenue generated by license plate fees is distributed to counties (26 percent) and municipalities (9 percent) for transportation needs.

Effective Date

The bill was signed into law by the Governor on May 27, 2022, and it took effect on August 9, 2022.

State Appropriations

For FY 2022-23, the bill requires and includes appropriations of \$27,437 to the Department of Revenue. Of this total:

- \$15,976 is from the General Fund, of which, \$2,129 is reappropriated to the Office of Information Technology; and,
- \$11,461 is from the License Plate Cash Fund.

State and Local Government Contacts

Corrections
Information Technology

Counties
Revenue

County Clerks
Transportation