



**Colorado  
Legislative  
Council  
Staff**

**HB17-1269**

**FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 17-0076 **Date:** March 22, 2017  
**Prime Sponsor(s):** Rep. Danielson; Nordberg **Bill Status:** House Business  
 Sen. Martinez Humenik; Donovan **Fiscal Analyst:** Erin Reynolds (303-866-4146)

**BILL TOPIC:** EXTEND PAY TRANSPARENCY PROTECTIONS ALL EMPLOYEES

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
<b>State Revenue</b> General Fund	Potential minimal increase.	
<b>State Expenditures</b> General Fund Cash Funds Reappropriated Funds Federal Funds	Potential minimal increase.	
<b>TABOR Impact</b>	Potential minimal increase.	
<b>Appropriation Required:</b> None.		
<b>Future Year Impacts:</b> Ongoing potential minimal increase in state revenue and expenditures.		

**Summary of Legislation**

The bill provides wage transparency protections to all employees in the state by removing certain exemptions under current law.

**Background**

Under Colorado law, employers that are exempt from the federal National Labor Relations Act (NLRA) are not covered by the state prohibition from engaging in discriminatory or unfair employment practices against employees who share wage data. These employers are: federal, state, or local governments; employers who employ only agricultural workers; and employers subject to the Railway Labor Act (interstate railroads and airlines).

**State Revenue**

To the extent that violations are filed against employers, state revenue from civil penalties will increase. The increase has not been estimated, but is assumed to be minimal. Civil penalties are credited to the General Fund.

## TABOR Impact

This bill may increase state General Fund revenue from fines, which may increase the amount of money required to be refunded under TABOR for FY 2017-18 and FY 2018-19. TABOR refunds are paid out of the General Fund. Since the bill may increase both revenue to the General Fund and the refund obligation by equal amounts, there is no net impact on the amount of money available in the General Fund for the budget. However, the bill may increase money available for the General Fund budget in the future during years when the state does not collect money above the TABOR limit.

## State Expenditures

Overall, this bill may increase workload and costs beginning in FY 2017-18. All increases are assumed to be minimal and will not require an adjustment in appropriations for any state agency.

**Judicial Department.** To the extent that employees of government agencies and labor organizations assert violations under House Bill 17-1269, workload for trial courts will increase.

**Colorado Department of Labor and Employment.** The Colorado Department of Labor and Employment may experience an increase in requests for information and assistance from employees of government agencies and labor organizations.

**Other state agencies.** To the extent that a state employee alleges that a state agency engaged in discriminatory or unfair employment practices against him or her for sharing wage data, an affected state agency would have increased costs to litigate and/or settle the claim.

## Local Government and Statutory Public Entity Impact

Similar to the state, if an employee of a local government or statutory public entity alleges that discriminatory or unfair employment practices occurred as a result of sharing wage data, costs and workload will increase. Any increases have not been estimated, but are assumed to be minimal.

## Effective Date

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

## State and Local Government Contacts

All State and Local Agencies

All Statutory Public Entities