



**Colorado  
Legislative  
Council  
Staff**

**SB17-218**

**FISCAL NOTE**

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

**Drafting Number:** LLS 17-0302  
**Prime Sponsor(s):** Sen. Kerr; Tate  
 Rep. Kennedy

**Date:** March 20, 2017  
**Bill Status:** Senate Business  
**Fiscal Analyst:** Erin Reynolds (303-866-4146)

**BILL TOPIC:** SUNSET CONTINUE LICENSING OF LANDSCAPE ARCHITECTS

<b>Fiscal Impact Summary</b>	<b>FY 2017-2018</b>	<b>FY 2018-2019</b>
<b>State Revenue</b>		<b>\$120,000</b>
<i>Continuing revenue</i>		
Cash Funds		125,000
<i>New revenue</i>		
Cash Funds		(5,000)
<b>State Expenditures</b>		<b>\$120,000</b>
<i>Continuing expenditures</i>		
Cash Funds		125,000
<i>New expenditures</i>		
Cash Funds		(5,000)
<b>TABOR Impact</b>		\$120,000
<b>FTE Position Change</b>		1.0 FTE
<b>Appropriation Required:</b> None.		
<b>Future Year Impacts:</b> Continuation in revenue and expenditures through FY 2028-2029.		

**Summary of Legislation**

The bill continues the Landscape Architect Professional Licensing Act for 11 years, through September 1, 2028, and implements the Department of Regulatory Agencies' (DORA) sunset report recommendation that the Board of Landscape Architecture not be continued, and instead the Division of Professions and Occupations (DPO) director in DORA be vested with all licensing and enforcement authority over landscape architects.

**Fiscal Impact of Programs Set to Expire**

This bill continues a program in the DPO in DORA that is set to repeal effective July 1, 2017. Under current law, state agencies may be appropriated funds to wind up the affairs of an expiring program for 12 months following the repeal date. To account for the wind-up period,

the impact of extending the program beyond the current repeal date is shown as beginning in FY 2018-19, one year after the repeal date. There is no need for an appropriation of the current base funding for the program in FY 2017-18 since its authorization has not yet expired and ongoing funding for the program has been included in the department's base budget request. In the current FY 2016-17, the program has approximately \$125,000 of revenue, \$125,000 of expenditures, and an allocation of 1.0 FTE.

### **State Revenue**

By continuing and modifying the Landscape Architect Professional Licensing Act, the bill will increase overall program revenue by \$120,000 beginning in FY 2018-19, deposited into the DPO Cash Fund. Because this bill generates a cost savings, DORA may slightly reduce fee calculations beginning in FY 2018-19, thereby reducing the \$125,000 in continuation revenue by approximately \$5,000 per year.

### **TABOR Impact**

This bill will increase state cash fund revenue from licensing fees, which will increase the amount of money required to be refunded under TABOR for FY 2018-19. TABOR refunds are paid out of the General Fund. Since the bill increases the TABOR refund obligation without a corresponding change in General Fund revenue, the amount of money available in the General Fund for the budget will decrease by an identical amount.

### **State Expenditures**

By continuing and modifying the Landscape Architect Professional Licensing Act, the bill will increase overall program expenditures by \$120,000 beginning in FY 2018-19 from the DPO Cash Fund, which includes an allocation of 1.0 FTE. The elimination of the State Board of Landscape Architecture eliminates meeting-related costs of approximately \$6,000 per year, while the transfer of the boards duties to the DPO director requires a one-time rulemaking cost of approximately \$400 in FY 2018-19, and ongoing expert review costs of approximately \$600 beginning in FY 2018-19. As a result, DORA's continuation expenditures of \$125,000 are reduced by \$5,000 in FY 2018-19.

### **Effective Date**

The bill takes effect July 1, 2018, except the continuation of the program, which takes effect July 1, 2017.

### **State and Local Government Contacts**

Information Technology

Law

Regulatory Agencies