



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**HB 18-1364**

**REVISED  
FISCAL NOTE**

(replaces fiscal note dated May 1, 2018)

**Drafting Number:** LLS 18-0379  
**Prime Sponsors:** Rep. Michaelson Jenet;  
Landgraf  
Sen. Martinez Humenik;  
Zenzinger

**Date:** May 8, 2018  
**Bill Status:** Senate Second Reading  
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**Bill Topic:** SUNSET COLORADO COUNCIL FOR PERSONS WITH DISABILITIES

**Summary of Fiscal Impact:**

<input checked="" type="checkbox"/> State Revenue ( <i>potential</i> )	<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

**Sunset bill.** The bill continues the Colorado Council for Persons with Disabilities and transfers the council to the Department of Human Services. It will increase state expenditures, and potentially state revenue, through FY 2023-24.

**Appropriation Summary:** This bill requires and includes an appropriation of \$250,000 to the Department of Human Services.

**Fiscal Note Status:** This revised fiscal note reflects the reengrossed bill, as amended by the Senate SVMA Committee.

**Table 1  
State Fiscal Impacts under HB 18-1364**

		FY 2018-19	FY 2019-20
<b>Revenue</b>		-	-
<b>Expenditures</b>	General Fund	\$250,000	\$237,797
	Centrally Appropriated	\$13,551	\$13,551
	<b>Total</b>	<b>\$263,551</b>	<b>\$251,348</b>
	<b>Total FTE</b>	<b>1.0 FTE</b>	<b>1.0 FTE</b>
<b>Transfers</b>		-	-
<b>TABOR Refund</b>		-	-

## Summary of Legislation

Under current law, the Colorado Council for Persons with Disabilities (the council) is scheduled to repeal on July 1, 2018. This bill continues the council through September 1, 2023, and makes several changes to the role and function of the council. Among the various changes to the council, the bill:

- relocates the council from the Governor's Office to the Department of Human Services (DHS);
- reduces membership on the council from up to 20 members to 10 members, of which 7 are voting members and 3 are non-voting members;
- specifies the membership criteria and terms, and that the appointing authorities for the council are the Governor (2 voting members) and the executive director of DHS (5 voting members and 3 non-voting members);
- specifies that members serve without compensation but may be reimbursed for actual and necessary expenses;
- requires the council to coordinate with other boards and commissions, monitor the state's implementation of the Americans with Disabilities Act (ADA), and maintain a list of state agency ADA coordinators;
- lists various other duties of the council, including maintaining a website of resources for persons with disabilities, conducting research, acting as an entry point for public grievances concerning disability issues and making referrals to the appropriate resources, and issuing an annual report to the Governor and General Assembly

In addition, the bill creates a process for the DHS to either select a nonprofit organization to perform the duties of the Disabled Parking Education Program or to assign these duties to the council. The bill requires that an interested nonprofit submit an application to operate the education program by September 1, 2019, and that a decision to continue operating the education program with the nonprofit organization or the council be made by December 1, 2019. The DHS may allocate any money appropriated to the disabled parking education program to the nonprofit or the council from the existing Disabled Parking Education and Enforcement Fund. The bill specifies that under no circumstances can a designated nonprofit organization continue operating the education program after July 1, 2020.

## Background

The Colorado Council for Persons with Disabilities was created in 2008 and is housed in the Governor's Office. Currently, the Governor may appoint up to 20 members to the council who serve without compensation, but may be reimbursed for actual and necessary expenses. The council has had spending of less than \$5,000 per year for expense reimbursement and other expenses over the last several fiscal years. The fiscal note assumes that no adjustment to the Governor's Office is required if the council is repealed or moved to a different agency.

## State Revenue

The bill potentially increases state revenue to the DHS for the council from gifts, grants, and donations. At this time, no source of funding has been identified. Gifts, grants, and donations are exempt from TABOR revenue limits.

**State Expenditures**

The bill increases costs in the DHS by \$263,551 in FY 2018-19 and \$251,348 in FY 2019-20. Staffing in the DHS is increased by 1.0 FTE per year. Costs for the council, as reconstituted under the bill, are summarized in Table 2 and discussed below.

**Table 2  
 Expenditures Under HB 18-1364**

<b>Cost Components</b>	<b>FY 2018-19</b>	<b>FY 2019-20</b>
<b>Department of Human Services</b>		
Personal Services	\$68,500	\$68,500
Operating Expenses and Capital Outlay Costs	\$5,653	\$950
Travel and Reimbursement	\$7,900	\$7,900
Meeting Accommodations for Persons with Disabilities	\$6,000	\$6,000
Website	\$10,000	\$2,500
Disabled Parking Education	\$151,947	\$151,947
Centrally Appropriated Costs*	\$13,551	\$13,551
FTE – Personal Services	1.0 FTE	1.0 FTE
<b>Total</b>	<b>\$263,551</b>	<b>\$251,348</b>
<b>Total FTE</b>	<b>1.0 FTE</b>	<b>1.0 FTE</b>

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

**Staffing.** To provide staff support to the council, the DHS requires 1.0 FTE. Staff will organize meetings, communicate with stakeholders, take meeting minutes, publish information on the council website, conduct research, and coordinate with a nonprofit organization on disabled parking education. Personal services, operating, and capital outlay expenses for these staff are shown in Table 2 above.

**Travel and reimbursement.** The fiscal note assumes that the council will hold 6 meetings per year and that at least one meeting will be held outside the Denver metro area each year. Costs to reimburse members for travel and expenses, and for staff travel costs are shown in Table 2 above.

**Meeting accommodation.** The council will have costs to accommodate people with disabilities at their meetings, including support service providers and interpreters. The fiscal note assumes costs of \$1,000 per meeting for these accommodations resulting in total costs of \$6,000.

**Website.** The bill requires the council to maintain a website of resources for persons with disabilities. The fiscal note estimates that the website will cost \$10,000 in the first year and \$2,500 in the second and future years.

**Disabled parking education.** It is estimated that the DHS will have costs of \$151,947 per year to implement the disabled parking education program. It is assumed that this funding will be provided to a contracted nonprofit organization, unless the decision is made to transfer these duties to the council. This funding will be used to conduct stakeholder engagement, holding training sessions, and publish materials relating to disabled parking issues.

**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 \$13,551 in both FY 2018-19 and FY 2019-20.

## State Appropriations

The bill requires and includes a General Fund appropriation of \$250,000 to the DHS and an allocation of 1.0 FTE.

## Effective Date

The bill takes effect July 1, 2018.

## State and Local Government Contacts

Governor

Health Care Policy and Financing

Human Services