

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 19-0772.01 Megan Waples x4348

HOUSE BILL 19-1188

HOUSE SPONSORSHIP

Sirota and Snyder,

SENATE SPONSORSHIP

Foote,

House Committees

Energy & Environment
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE INCLUSION OF THE NET IMPACT ON GREENHOUSE**
102 **GAS POLLUTION IN THE FISCAL NOTES PREPARED FOR**
103 **LEGISLATIVE MEASURES, AND, IN CONNECTION THEREWITH,**
104 **MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Beginning in 2020, the bill requires fiscal notes on legislative measures to include an assessment of whether the measure is likely to directly cause a net increase or decrease in greenhouse gas pollution in

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
April 12, 2019

the 10-year period following its enactment. The assessment must consider new sources of emissions, increases or decreases in existing sources of emissions, and any impact on sequestration of emissions. The fiscal note is not required to estimate the magnitude of the impact. The director of research of the legislative council staff is required to develop policies and procedures for completing the assessment. The department of natural resources, the Colorado energy office, and other state agencies with relevant subject matter expertise are required to cooperate with and provide information, if requested, to develop the policies and procedures for the assessment and to provide information to the legislative council staff on a legislative measure's impact on greenhouse gas pollution in connection with the preparation of a fiscal note.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Greenhouse gas pollution is causing a climate change crisis
5 that threatens Colorado's economy and ecosystem;

6 (b) Greenhouse gas pollution is causing a climate change crisis
7 that could require ever-larger mitigation costs; and

8 (c) Policymakers trying to combat climate change need to know
9 if legislation will increase or decrease greenhouse gas pollution.

10 **SECTION 2.** In Colorado Revised Statutes, 2-2-322, **amend**
11 (3)(a); and **add** (1.5) as follows:

12 **2-2-322. Fiscal notes - definition.** (1.5) (a) COMMENCING WITH
13 THE SECOND REGULAR SESSION OF THE SEVENTY-SECOND GENERAL
14 ASSEMBLY, THE FISCAL NOTE FOR A LEGISLATIVE MEASURE REQUIRED
15 UNDER SUBSECTION (1) OF THIS SECTION MUST INCLUDE AN ASSESSMENT
16 OF WHETHER THE MEASURE IS LIKELY TO DIRECTLY CAUSE A NET INCREASE
17 OR DECREASE IN GREENHOUSE GAS POLLUTION WITHIN THE TEN-YEAR
18 PERIOD FOLLOWING ITS ENACTMENT. IN DETERMINING WHETHER A
19 LEGISLATIVE MEASURE IS LIKELY TO DIRECTLY CAUSE A NET INCREASE OR

1 DECREASE IN GREENHOUSE GAS POLLUTION, THE STAFF OF THE
2 LEGISLATIVE COUNCIL SHALL CONSIDER NEW SOURCES OF GREENHOUSE
3 GAS EMISSIONS, INCREASED OR DECREASED OUTPUT FROM EXISTING
4 SOURCES OF GREENHOUSE GAS EMISSIONS, AND ANY IMPACT ON
5 SEQUESTRATION OF EMISSIONS. THE FISCAL NOTE IS NOT REQUIRED TO
6 ESTIMATE THE MAGNITUDE OF THE INCREASE OR DECREASE IN
7 GREENHOUSE GAS POLLUTION.

8 (b) NO LATER THAN DECEMBER 1, 2019, THE DIRECTOR OF
9 RESEARCH OF THE LEGISLATIVE COUNCIL SHALL DEVELOP POLICIES AND
10 PROCEDURES FOR COMPLETING THE ASSESSMENT REQUIRED BY
11 SUBSECTION (1.5)(a) OF THIS SECTION AND SHALL MEMORIALIZE THE
12 PROCEDURES IN A LETTER TO THE EXECUTIVE COMMITTEE OF THE
13 LEGISLATIVE COUNCIL. THE DEPARTMENT OF NATURAL RESOURCES, THE
14 COLORADO ENERGY OFFICE, AND ANY OTHER STATE DEPARTMENT,
15 AGENCY, OR INSTITUTION WITH SUBJECT MATTER EXPERTISE SHALL
16 COOPERATE WITH AND PROVIDE INFORMATION TO THE DIRECTOR TO ASSIST
17 IN DEVELOPING THE POLICIES AND PROCEDURES REQUIRED BY THIS
18 SUBSECTION (1.5)(b) IF REQUESTED BY THE DIRECTOR.

19 (c) FOR PURPOSES OF THIS SUBSECTION (1.5), "GREENHOUSE GAS"
20 MEANS:

- 21 (I) CARBON DIOXIDE;
- 22 (II) METHANE;
- 23 (III) NITROUS OXIDE;
- 24 (IV) HYDROFLUOROCARBONS;
- 25 (V) PERFLUOROCARBONS; OR
- 26 (VI) SULFUR HEXAFLUORIDE.

27 (3) (a) Each state department, agency, or institution shall

1 cooperate with and provide information on the fiscal impact of a
2 legislative measure in the manner requested by the staff of the legislative
3 council for consideration by the staff in connection with the preparation
4 of a fiscal note for the measure. THE DEPARTMENT OF NATURAL
5 RESOURCES, THE COLORADO ENERGY OFFICE, AND ANY OTHER STATE
6 DEPARTMENT, AGENCY, OR INSTITUTION WITH SUBJECT MATTER EXPERTISE
7 SHALL COOPERATE WITH AND PROVIDE INFORMATION ON A LEGISLATIVE
8 MEASURE'S IMPACT ON GREENHOUSE GAS POLLUTION IN THE MANNER
9 REQUESTED BY THE STAFF OF THE LEGISLATIVE COUNCIL FOR
10 CONSIDERATION BY THE STAFF IN CONNECTION WITH THE PREPARATION OF
11 A FISCAL NOTE FOR THE MEASURE.

12 **SECTION 3. Appropriation.** For the 2019-20 state fiscal year,
13 \$81,911 is appropriated to the legislative department for use by the
14 legislative council. This appropriation is from the general fund. To
15 implement this act, the legislative council may use this appropriation as
16 follows:

17 (a) \$76,258 for personal services, which amount is based on an
18 assumption that the legislative council will require an additional 0.9 FTE;
19 and

20 (b) \$5,653 for operating expense.

21 **SECTION 4. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.