



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SB 19-019

REVISED
FISCAL NOTE

(replaces fiscal note dated January 8, 2019)

Drafting Number: LLS 19-0219
Prime Sponsors: Sen. Fields
Rep. Gray

Date: February 14, 2019
Bill Status: House Rural Affairs
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Bill Topic: COUNTY FIREWORKS RESTRICTIONS JULY 4TH

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue (<i>minimal</i>)	<input checked="" type="checkbox"/> TABOR Refund (<i>minimal</i>)
	<input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>)	<input checked="" type="checkbox"/> Local Government (<i>minimal</i>)
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill permits a county to prohibit fireworks sales in unincorporated areas under certain circumstances. The bill may decrease state and local government revenue and increase local government workload by a minimal amount. These impacts are ongoing.

Appropriation Summary: None required.

Fiscal Note Status: This fiscal note reflects the reengrossed bill, which was recommended by the Wildfire Matters Interim Committee.

Summary of Legislation

Under current law, a county may prohibit or restrict the sale, use, and possession of fireworks in unincorporated areas of the county for up to one year, except between May 31 and July 5. This bill allows a county to adopt a resolution that includes an express finding of high fire danger, based on competent evidence, to prohibit the sale and use of fireworks during this period. Competent evidence of high fire danger may include predictions of future fire danger such as those issued by the National Interagency Coordination Center and localized evidence of low fuel moisture. If this resolution is adopted and a change in weather occurs that diminishes the high fire danger, the county must promptly consider rescinding the fireworks restrictions.

State Revenue

Beginning in the current FY 2018-19, in years when a county prohibits fireworks sales due to high fire danger, fee revenue to the Department of Public Safety and the Fireworks Licensing Cash Fund may decrease. This is conditional on future county resolutions of fire danger and is expected to be minimal. In years when arid conditions result in fireworks prohibitions in multiple counties throughout the state, a minimal state sales tax revenue decrease can be anticipated. These impacts are subject to TABOR.

State Expenditures

This bill may minimally impact state expenditures as described below.

TABOR refunds. The bill may decrease state General Fund obligations for TABOR refunds by a minimal amount in the current FY 2018-19 and in FY 2019-20. Under current law and the Legislative Council Staff December 2018 forecast, the bill may correspondingly reduce the amount refunded to taxpayers via sales tax refunds on income tax returns for tax year 2020. The state is not expected to collect a TABOR surplus in FY 2020-21.

Local Government Impact

County governments must take additional action to adopt a separate resolution to maintain an annual prohibition on fireworks during the six week period from May 31 to July 5 and to continually monitor the fire danger using competent evidence during this time. This reduces firework related sales tax and increases county workload by a minimal amount in counties that choose to pass such a resolution. These impacts will be reduced if the resolution is rescinded.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Counties Fire Chiefs Local Affairs Public Safety