



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

SB 19-061

FISCAL NOTE

Drafting Number: LLS 19-0554 Date: January 21, 2019
Prime Sponsors: Sen. Tate Bill Status: Senate HHS
Rep. Arndt; Hooton Fiscal Analyst: Clare Pramuk | 303-866-2677
clare.pramuk@state.co.us

Bill Topic: SELF-CONTAINED BREATHING APPARATUS TESTING AND CERTIFICATION

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill authorizes the Department of Public Health and Environment to promulgate rules that incorporate current federal standards for certification and recertification of self-contained breathing apparatus pressure vessels.

Appropriation Summary: For FY 2019-20, the bill requires an appropriation of \$28,271 to the Department of Public Health and Environment.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Table 1 State Fiscal Impacts Under SB 19-061

Table with 3 columns: Category, FY 2019-20, FY 2020-21. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total), Total FTE, Transfers, and TABOR Refund.

## Summary of Legislation

This bill authorizes the Department of Public Health and Environment (CDPHE) to promulgate rules that incorporate current federal standards for certification and recertification of self-contained breathing apparatus (SCBA) pressure vessels.

Beginning January 1, 2020, a SCBA pressure vessel must be certified as meeting all state and federal standards; and be within its recommended service life following certification, or after recertification or requalification in accordance with federal testing standards.

## Background

SCBA pressure vessels have a maximum service life of 15 years, and are subject to regular testing in accordance with federal standards. The federal government has approved special permit DOT-SP 16320 which allows a pressure vessel to be considered for extended service up to 30 years after its original manufacturing date if the pressure vessel is requalified by modal acoustic emission testing as described in the special permit.

## State Expenditures

This bill will increase General Fund expenditures for the CDPHE by \$34,089 and 0.4 FTE in FY 2019-20 only. These costs are shown in Table 2 and explained below.

**Table 2**  
**Expenditures Under SB 19-061**

	<b>FY 2019-20</b>	<b>FY 2020-21</b>
<b>Department of Public Health and Environment</b>		
Personal Services	\$25,680	-
Legal Services	\$2,591	-
Centrally Appropriated Costs*	\$5,818	-
<b>Total Cost</b>	<b>\$34,089</b>	<b>-</b>
<b>Total FTE</b>	<b>0.4 FTE</b>	<b>-</b>

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

Because the bill is effective August 2, 2019, and the implementation date of the certification requirements is January 1, 2020, the CDPHE will need to develop rules in a compressed five month timeframe. The CDPHE does not currently have expertise in SCBA pressure vessels, so will need to add a policy analyst to conduct research on the issue prior to conducting a stakeholder process. After the stakeholder process is complete, the policy analyst and CDPHE staff will develop rules for consideration by the executive director. The rulemaking process will require 25 hours of legal services from the Department of Law at a cost of \$2,591.

**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 \$5,818 in FY 2019-20 only.

**Local Government and Special Districts**

This bill may reduce expenditures for local governments and special districts that currently replace pressure vessels at the end of their initial recommended service life. The cost of retesting and recertifying pressure vessels may be offset by savings on new equipment.

**Effective Date**

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

**State Appropriations**

For FY 2019-20, the bill requires a General Fund appropriation of \$28,271 and an allocation of 0.4 FTE to the Department of Public Health and Environment.

**State and Local Government Contacts**

Counties	Fire Chiefs	Higher Education
Law	Municipalities	Public Health and Environment
Public Safety	Sheriffs	