



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

**Drafting Number:** LLS 21-0635  
**Prime Sponsors:** Rep. Woog

**Date:** February 16, 2021  
**Bill Status:** House Energy & Environment  
**Fiscal:** Christina Van Winkle | 303-866-6289  
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**Bill Topic:** CONSUMER RIGHT TO USE NATURAL GAS OR PROPANE

**Summary of Fiscal Impact:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> State Revenue     | <input type="checkbox"/> TABOR Refund                |
| <input checked="" type="checkbox"/> State Expenditure | <input checked="" type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer               | <input type="checkbox"/> Statutory Public Entity     |

The bill invalidates state and local policies that limit the use of natural gas or propane powered appliances in homes and businesses, except as required for safety purposes. It may increase state and local revenue and expenditures on an ongoing basis beginning in FY 2021-22.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** This fiscal note reflects the introduced bill.

## Summary of Legislation

This bill invalidates any statute, rule, local ordinance, or resolution that limits or prohibits the installation of systems or appliances that use natural gas or propane for cooking, hot water, space heating, or electrical generation in new and existing homes and businesses, except as required for safety purposes.

## State Revenue and Expenditures

Beginning in FY 2021-22, this bill may increase revenue and workload in the Judicial Department from additional civil filings regarding the interpretation and application of the safety provision. The increase in civil filings is assumed to be minimal and workload can be accomplished within existing appropriations.

For informational purposes, the civil filing fee for county court ranges from \$8 to \$135 depending on the amount of damages sought and the filing fee for district court is \$235. Civil cases seeking damages of less than \$25,000 may be filed in county or district court, while cases seeking damages over \$25,000 must be filed in district court. Civil filing fees are subject to TABOR.

**TABOR refunds.** Under the December 2020 LCS Economic and Revenue Forecast, the state is not expected to collect revenue above the TABOR limit in either F2021-22 or FY 2022-23, and refund obligations are not anticipated for these years. This bill does not change these expectations concerning refunds to taxpayers.

## Local Government

Local government regulations and ordinances are required to be consistent with the measure. Updating these may have workload and expenditure impacts for local governments, and fee revenue may be affected for any permitting that is superseded by the measure. In addition, local governments that attempt to impose restrictions based on the safety provision may face legal challenges to determine the meaning and intent of their ability to regulate for safety purposes. These impacts have not been estimated.

## Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## State and Local Government Contacts

Counties	Judicial
Information Technology	Law
Local Affairs	Municipalities
Public Health and Environment	Regulatory Agencies