



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

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

Date: July 21, 2021
Bill Status: Postponed Indefinitely
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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 would have invalidated 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 have increased state and local revenue and expenditures on an ongoing basis beginning in FY 2021-22.

Appropriation Summary: No appropriation would have been required.

Fiscal Note Status: This fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

This bill would have invalidated 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. The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by a minimal amount. TABOR refunds are paid from the General Fund. This estimate is based on the June 2021 LCS revenue forecast, which incorporates the revenue impacts of bills passed during the 2021 session. A forecast of state revenue subject to TABOR is not available beyond FY 2022-23.

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 was postponed indefinitely by the House Energy and Environment Committee on March 3, 2021.

State and Local Government Contacts

Counties
Information Technology
Local Affairs
Public Health and Environment

Judicial
Law
Municipalities
Regulatory Agencies