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Final Fiscal Note

Drafting Number:
Prime Sponsors:

LLS 21-0689
Rep. Van Beber;
Michaelson Jenet
Sen. Moreno; Kirkmeyer

Date: August 17, 2021
Bill Status: Signed into Law
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Bill Topic: **SUPPORT FOSTER FAMILIES LICENSE PLATE**

**Summary of
Fiscal Impact:**

- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

This bill creates the Support Foster Families license plate. It increases state revenue and expenditures and increases local government revenue on an ongoing basis.

**Appropriation
Summary:**

For FY 2021-22, the bill requires and includes an appropriation of \$14,145 to the Department of Revenue.

**Fiscal Note
Status:**

This fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under HB 21-1073

		Budget Year FY 2021-22	Out Year FY 2022-23	Out Year FY 2023-24
Revenue	Cash Funds	\$35,870	\$44,862	\$8,959
	State Highway Fund	\$17,631	\$22,052	\$4,404
	Total	\$53,501	\$66,914	\$13,363
Expenditures	Cash Funds	\$14,145	\$10,937	\$2,184
	Total	\$14,145	\$10,937	\$2,184
Transfers		-	-	-
TABOR Refund	General Fund	\$53,501	\$66,914	\$13,363

Summary of Legislation

This bill creates the Support Foster Families group special license plate. The license plate is available to all applicants that pay a one-time special license plate fee of \$50 and give a donation to a designated Colorado nonprofit organization as determined by the Colorado Department of Revenue (DOR). The nonprofit organization may only use the donations to support foster families. The group special license plate will be available on or after January 1, 2022, or when DOR is able to issue the plates.

Assumptions

Expected demand for this plate is based on the actual demand for the Child Loss Awareness group special license plate.

State Revenue

This bill is anticipated to increase state cash fund revenue by \$62,995 in FY 2021-22, \$78,787 in FY 2022-23, and \$15,734 in FY 2023-24, as shown in Table 2. This revenue is subject to TABOR.

Table 2
Revenue Under HB 21-1073

	FY 2021-22	FY 2022-23	FY 2023-24
License Plate Sets Issued	1,085	1,357	271
License Plate Cash Fund (\$8.06)	\$8,745	\$10,937	\$2,184
Highway Users Tax Fund (\$25)	\$27,125	\$33,925	\$6,775
Licensing Services Cash Fund (\$25)	\$27,125	\$33,925	\$6,775
Total Cost	\$62,995	\$78,787	\$15,734

Standard license plate fees. Upon registration, all vehicle owners must pay a plate and tab production fee of \$8.06 for a digital passenger vehicle plate set, \$4.73 for an embossed passenger vehicle plate set, or \$3.01 for a motorcycle plate set. All specialty plates are manufactured as digital plates, and the fiscal note assumes motorcycle issuance will be minimal. Fees from plate and tab production are credited to the License Plate Cash Fund (LPCF).

Special license plate fees. Applicants for the support foster families group special license plate are also required to pay an additional \$50 fee, of which \$25 is credited to the Highway Users Tax Fund (HUTF) and \$25 is credited to the Licensing Services Cash Fund.

Colorado Department of Transportation. Of the HUTF revenue, 65 percent is credited to the State Highway Fund (SHF) for expenditure by the department, 26 percent is credited to counties, and 9 percent is credited to municipalities. Table 3 outlines the estimated HUTF revenue generated under this bill.

Table 3
Estimated HUTF Distributions Under HB 21-1073

	FY 2021-22	FY 2022-23	FY 2023-24
State Highway Fund (65 percent)	\$17,631	\$22,051	\$4,404
Counties (26 percent)	\$7,053	\$8,821	\$1,761
Municipalities (9 percent)	\$2,441	\$3,053	\$610
Total Revenue	\$27,125	\$33,925	\$6,775

State Expenditures

State cash fund expenditures in the DOR will increase by \$14,145 in FY 2021-22, \$10,937 in FY 2022-23, and \$2,184 in FY 2023-24, as shown in Table 4 and detailed below.

Table 4
Expenditures Under HB 21-1073

	FY 2021-22	FY 2022-23	FY 2023-24
Department of Revenue			
Plate and Tab Production Cost	\$8,745	\$10,937	\$2,184
Computer Programming	\$5,400	-	-
Total Expenditures	\$14,145	\$10,937	\$2,184

Department of Revenue. As discussed in the State Revenue section, plate tab and production costs for special group plates are \$8.06 per license plate set. This fiscal note assumes that 1,085 license plates will be issued in FY 2021-22, 1,357 will be issued in FY 2022-23, and 271 will be issued in FY 2023-24. In FY 2021-22, one-time programming costs of \$5,400 are required to update the Driver License, Record, Identification and Vehicle Enterprise Solutions (DRIVES) system. Programming costs are calculated at 24 hours at a rate of \$225 per hour and are paid from the DRIVES Vehicle Services Account. License plate and tab production costs are expended from the LPCF.

In addition, DOR will be required to update rules, forms, manuals, and the department's website to reflect the change in law. Additionally, the DOR will provide training to authorized agents, Title and Registration Section staff, and law enforcement. Any workload increases or costs associated with these activities can be accomplished within existing appropriations.

TABOR refunds. The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by the amounts shown in the State Revenue section above. 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.

Federal ARPA funds. This bill increases state revenue, which may impact the state's flexibility in spending federal American Rescue Plan Act (ARPA) funds. For more information, see the LCS memo, titled "Legislative Changes and Flexibility in Use of American Rescue Plan Funds," available online at: <https://leg.colorado.gov/node/2211881>.

Local Government

This bill will increase local government HUTF revenue by the amounts shown in Table 3. HUTF revenue generated by license plate fees is distributed to counties (26 percent) and municipalities (9 percent) for transportation needs.

Effective Date

The bill was signed into law by the Governor on June 25, 2021, and takes effect on September 7, 2021, assuming no referendum petition is filed.

State Appropriations

For FY 2021-22, the bill requires and includes appropriations of \$14,145 to the Department of Revenue. Of this total:

- \$5,400 is from the DRIVES Vehicle Services Account; and
- \$8,745 is from the License Plate Cash Fund.

Departmental Difference

The DOR estimates that it requires \$16,200 in FY 2021-22 for DRIVES system programming and that the General Fund is required to pay for these costs. The fiscal note estimates that the DOR will have sufficient cash fund balance in the DRIVES Vehicle Services Account to cover the costs related to DRIVES programming, and assumes that the DOR will need \$5,400 for DRIVES programming costs based on previous bills with similar workloads.

State and Local Government Contacts

Corrections
Human Services
Transportation

Counties
Information Technology

County Clerks
Revenue