



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Final Fiscal Note

**Drafting Number:** LLS 21-0354  
**Prime Sponsors:** Rep. Exum; Van Winkle  
Sen. Hisey

**Date:** July 12, 2021  
**Bill Status:** Signed into Law  
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**Bill Topic:** **DRIVERS' LICENSES FOR FOSTER CHILDREN**

**Summary of Fiscal Impact:**

<input checked="" type="checkbox"/> State Revenue	<input checked="" 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

This bill requires the Department of Human Services to reimburse counties for foster children to attend driver education courses; limits government liability related to foster youth who drive; and updates driver licenses documentation requirements for foster youth. The bill may increase state revenue and will increase state expenditures and local revenue on an ongoing basis.

**Appropriation Summary:** For FY 2021-22, this bill requires and includes a \$54,180 appropriation to the Department of Human Services.

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

**Table 1**  
**State Fiscal Impacts Under HB 21-1084**

		<b>Budget Year FY 2021-22</b>	<b>Out Year FY 2022-23</b>
<b>Revenue</b>		-	-
<b>Expenditures</b>	General Fund	\$54,180	\$72,240
<b>Transfers</b>		-	-
<b>TABOR Refund</b>		-	-

## Summary of Legislation

This bill requires the Department of Human Services (DHS) to reimburse county departments of human services for the cost of sending 15 to 21 year olds in their custody to a driver's education course. The DHS may accept gifts, grants, and donations to cover the cost of reimbursing counties. The bill also establishes limits on liability for county department of human services, guardians ad litem, and the Division of Youth Services related to youths driving under their respective care. Finally, the Department of Revenue (DOR) must establish forms and documentation for children in the custody of the DHS or a county department of human services who are applying for a driver permit or license.

## Data and Assumptions

Data show that 60 percent of youths hold either a learner's permit or a minor's driver license. Because driver education classes are only required for 15 year olds to receive a permit, the fiscal note assumes that 100 percent of 15 year-olds; 75 percent of 16 year olds; 50 percent of 17 year olds; and 25 percent of 18 year old or older drivers will attend a driver's education class. Based on the number of foster youths between the ages of 15 and 19 in the child welfare system in care for at least 3 to 12 months as of January 31, 2021, the fiscal note estimates 140 foster youths will attend a driver's education course, as shown in Table 2.

**Table 2**  
**Foster Youth in Driver's Education Per Year**

<b>Age Group</b>	<b># in Driver's Ed.</b>
15 years olds	46
16 years olds	47
17 year olds	34
18+ year olds	13
<b>Total</b>	<b>140</b>

Finally, the fiscal note assumes an effective date of October 1st, and prorates the number of youths in driver's education to 105 in FY 2021-22.

## State Revenue

Starting in FY 2021-22, state revenue may increase on an ongoing basis from licensing fees and gifts, grants, and donations.

**Increase in driver license issuance.** To the extent that the bill increases the number of minor driver licenses and permits issued, revenue to the Licensing Services Cash Fund will increase; this fund is subject to TABOR. Currently, the fee for an instruction permit is \$16.80 and the fee for a driver license is \$28.00. Based on the assumed number of foster kids who will take a class, the fiscal note assumes any increase in fee revenue will be minimal.

**Gifts, grants, and donations.** The DHS may have increased revenue from the receipt of gifts, grants, and donations. At the time of writing, no source of gifts, grants, or donations have been identified. Gifts, grants, and donations are not subject to TABOR.

## State Expenditures

State expenditure in the DHS will increase by \$54,180 in FY 2021-22 and by \$72,240 in FY 2022-23 to reimburse counties for sending youth in their custody to driving school. This amount uses the estimated population discussed in the Assumptions section and assumes an average driver's education course cost of \$516 per youth.

**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.

**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

County departments of human services will have increased revenue equal to the amount of funding distributed by the DHS, as outlined in the State Expenditure section. If a county is currently using discretionary funds to pay for driver education, the bill will allow counties to use those funds for other purposes. If a county is not currently paying for driver education courses, expenditures will increase for that county, offset by grant revenue.

## Effective Date

The bill was signed into law by the Governor on May 28, 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 a General Fund appropriation of \$54,180 to the Department of Human Services.

**State and Local Government Contacts**

Counties  
Judicial

Human Services  
Revenue

Information Technology  
Transportation