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Revised Fiscal Note

(replaces fiscal note dated February 23, 2021)

Drafting Number: LLS 21-0374
Prime Sponsors: Sen. Zenzinger

Date: March 10, 2021
Bill Status: Senate Appropriations
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Bill Topic: SUNSET SPECIAL EDUCATION FISCAL ADVISORY COMMITTEE

Summary of Fiscal Impact:

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

Sunset bill. SB 21-104 continues the Special Education Fiscal Advisory Committee in the Department of Education, which is scheduled to repeal on September 1, 2021. State fiscal impacts under the bill include only the continuation of the program's current expenditures. The program is continued until September 1, 2031.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill, as amended by the Senate Education Committee.

Table 1
State Fiscal Impacts Under SB 21-104¹

| | | Budget Year FY 2021-22 | Out Year FY 2022-23 |
|---------------------------|----------------|---------------------------|------------------------|
| New Impacts | | | |
| Revenue | | - | - |
| Expenditures | | - | - |
| TABOR Refund | | - | - |
| Continuing Impacts | | | |
| Revenue | | - | - |
| Expenditures | General Fund | \$16,513 | \$18,822 |
| | Continuing FTE | 0.2 FTE | 0.2 FTE |
| TABOR Refund | | - | - |

¹ Table 1 shows the new impacts resulting from changes to the program under the bill, and the continuing impacts from extending the program beyond its current repeal date. Because the bill continues a program without making any changes, there are no new impacts. The continuing program impacts will end if the bill is not passed and the program is allowed to repeal.

Summary of Legislation

The Special Education Fiscal Advisory Committee is scheduled to repeal on September 1, 2021. This bill continues the committee through September 1, 2031.

Background

The Special Education Fiscal Advisory Committee is a 12-member committee, appointed by the State Board of Education and housed in the Colorado Department of Education (CDE). The committee advises the state board regarding the allocation of funds from the Colorado Special Education High-Cost Grant Program. The committee is also charged with determining the level of special education costs above which a school district may apply for reimbursement from the grant program.

The committee meets in person once per year to review the high-cost grant applications from school districts and make recommendations to State Board of Education for distribution of the high-cost funds. All other meetings will be conducted virtually.

Continuing Program Impacts

The cost for the Department of Education to administer the Special Education Fiscal Advisory Committee is projected to be \$16,513 in FY 2021-22 and \$18,822 in FY 2022-23. This amount reflects a continuation of current administration costs, including committee member expenses, 0.2 FTE in staff support, and associated centrally appropriated costs for employee insurance and supplemental retirement payments, as shown in Table 2 below. First-year costs are prorated for the September 1 effective date. Centrally appropriated costs are not included in the bill's required appropriation.

Table 2
Continuing Expenditures Under SB 21-104

| | FY 2021-22 | FY 2022-23 |
|---|-------------------|-------------------|
| Department of Education | | |
| Personal Services | \$10,593 | \$12,711 |
| Meeting Expenses | \$2,961 | \$2,961 |
| Centrally Appropriated Costs ¹ | \$2,959 | \$3,150 |
| Total Cost | \$16,513 | \$18,822 |
| Total FTE | 0.2 FTE | 0.2 FTE |

¹ Centrally appropriated costs are not included in the bill's appropriation.

Effective Date

The bill takes effect September 1, 2021.

State Appropriations

Because funding for the committee is included in the CDE budget request for FY 2021-22, the fiscal note assumes that funding will be provided in the Long Bill rather than this bill, and that no appropriation is required. If funding is not included in the Long Bill for the committee, this bill should include a General Fund appropriation of \$13,554 and 0.2 FTE to the CDE for FY 2021-22.

State and Local Government Contacts

Education School Districts