



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 22-0109 **Date:** August 4, 2022
Prime Sponsors: Rep. McCormick; Will **Bill Status:** Signed into Law
 Sen. Smallwood; Zenzinger **Fiscal Analyst:** Anna Gerstle | 303-866-4375
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Bill Topic: **UPDATES TO BINGO & RAFFLES LAW**

Summary of Fiscal Impact:

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

The bill increases the maximum number of bingo cards for a player using an electronic device and defines a new bingo strip card game. It increases state revenue and expenditures on an ongoing basis.

Appropriation Summary: For FY 2022-23, the bill requires and includes an appropriation of \$47,471 to the Secretary of State's Office.

Fiscal Note Status: The final fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under HB 22-1093

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue	Cash Funds	\$5,400	\$5,500
	Total Revenue	\$5,400	\$5,500
Expenditures	Cash Funds	\$47,471	\$40,099
	Centrally Appropriated	\$5,553	\$10,526
	Total Expenditures	\$53,024	\$50,625
	Total FTE	0.4 FTE	0.7 FTE
Transfers		-	-
Other Budget Impacts	TABOR Refund	\$5,400	\$5,500

Summary of Legislation

The bill increases the maximum number of bingo cards that a player may play using an electronic device from 54 to 100, and adds bingo strip card games to the definition of bingo. Bingo strip card games are a type of bingo that is played with a strip of up to five connected paper bingo cards. The bill also clarifies that event pull tab series may include one or more events and includes paper pull tabs.

State Revenue

The bill increases state revenue to the Department of State Cash Fund by \$5,400 in FY 2022-23, and by \$5,500 in FY 2023-24. Fee revenue from licensing is subject to TABOR.

Fee impact on bingo and raffle licensees. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. These fee amounts are estimates only, actual fees will be set administratively by the Secretary of State’s Office based on cash fund balance, estimated program costs, and the estimated number of equipment and licensees subject to the fee. The table below identifies the fee impact of this bill. The bill is anticipated to result in three new manufacturer applications, and 33 new bingo and raffle license applications in FY 2022-23, and 34 in FY 2023-24, at current fee amounts.

**Table 2
Fee Impact on Bingo Raffle Licensees**

Fiscal Year	Type of Fee	Fee	Number Affected	Total Fee Impact
FY 2022-23	Bingo & Raffle Manufacturer License	\$700	3	\$2,100
	Bingo & Raffle License	\$100	33	\$3,300
	FY 2022-23 Total			\$5,400
FY 2023-24	Bingo & Raffle Manufacturer License	\$700	3	\$2,100
	Bingo & Raffle License	\$100	34	\$3,400
	FY 2023-24 Total			\$5,500

State Expenditures

The bill increases state expenditures in the Secretary of State’s Office by \$53,024 in FY 2022-23, and by \$50,625 in FY 2023-24, from the Department of State Cash Fund. Expenditures are shown in Table 3 and detailed below.

**Table 3
Expenditures Under HB22-1093**

	FY 2022-23	FY 2023-24
Department of State		
Personal Services	\$17,271	\$39,154
Operating Expenses	-	\$945
Capital Outlay Costs	\$6,200	-
Computer Programming	\$24,000	-
Centrally Appropriated Costs ¹	\$5,553	\$10,526
Total Cost	\$53,024	\$50,625
Total FTE	0.4 FTE	0.7 FTE

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

Secretary of State's Office. The department will require 0.4 FTE in FY 2022-23 and 0.7 FTE beginning in FY 2023-24. The staffing includes an administrator to conduct rulemaking, review new applications for new bingo raffle and manufacturer licenses, and to review and oversee testing of the new devices, and a compliance investigator to conduct inspections and training and to handle complaints. Compliance investigator staffing levels in FY 2022-23 are prorated for an April start date.

Computer programming. The department's IT Division will modify the bingo application system to align with the changes in the bill. Costs are expected to require 200 hours at a standard rate of \$120 per hour in FY 2022-23 only.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 3.

Other Budget Impacts

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. This estimate assumes the March 2022 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2023-24. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save.

Effective Date

The bill was signed into law by the Governor on June 3, 2022, and takes effect April 1, 2023, assuming no referendum petition is filed.

State Appropriations

In FY 2022-23, the bill requires and includes an appropriation of \$47,471 from the Department of State Cash Fund to the Secretary of State's Office, and 0.4 FTE.

State and Local Government Contacts

Revenue Secretary of State