



Legislative Council Staff

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Fiscal Note

Drafting Number: LLS 22-0431
Prime Sponsors: Sen. Donovan

Date: February 10, 2022
Bill Status: Senate SVMA
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Bill Topic: **VERSIONS OF THE COLORADO CONSTITUTION**

- Summary of Fiscal Impact:**
- State Revenue
 - State Expenditure
 - State Transfer
 - TABOR Refund
 - Local Government
 - Statutory Public Entity

The bill requires the Secretary of State to create and maintain updated physical and electronic versions of the Colorado Constitution and the State Archivist to submit a proposal to the Capital Development Committee for displaying the original Colorado Constitution in the state capitol building. The bill increases state expenditures in FY 2022-23 only, and increases workload on an ongoing basis.

Appropriation Summary: For FY 2022-23, the bill requires an appropriation of \$15,000 to the Department of Personnel and Administration.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Table 1
State Fiscal Impacts Under SB 22-012

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue		-	-
Expenditures	General Fund	\$15,000	-
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$2,250	-

Summary of Legislation

The bill requires the Secretary of State to create and maintain updated physical and searchable electronic versions of the Colorado Constitution and the State Archivist in the Department of Personnel and Administration (DPA) to submit a proposal to the State Capitol Building Advisory Committee and the Capital Development Committee for displaying the original Colorado Constitution in the state capitol building by December 31, 2022. The Secretary of State and the State Archivist are both authorized to solicit, accept, and expend bequests, gifts, grants, and donations to accomplish these requirements. The bill prohibits appropriations from the General Fund or any cash fund.

Background

The Colorado Constitution is a 40-page manuscript written on machine-made ledger paper and bound with a 12-page document that includes the minutes of the State Constitutional Convention. The Colorado State Archives in the DPA is the legal custodian of the document. The constitution is currently on loan through December 2022, and available for public viewing, at the History Colorado Center in Denver. The room in which the constitution is currently on display has temperature and climate controls, protective lighting, additional security, and requires museum archivists to periodically turn the pages to ensure the continued preservation of the document.

The Secretary of State and the Colorado General Assembly, currently maintain searchable electronic copies of the Colorado Constitution that are available to the public free-of-charge. The links are: https://www.coloradosos.gov/pubs/info_center/laws/COConstitution/ColoradoConstitution.pdf and <https://leg.colorado.gov/colorado-constitution>.

State Revenue

The bill may increase state revenue from bequests, gifts, grants, and donations however, no sources have been identified at this time. Bequests, gifts, grants, and donations are exempt from TABOR revenue limits.

State Expenditures

The bill increases state expenditures in the Department of Personnel and Administration by at least \$15,000 in FY 2022-23 from the General Fund and increases workload for the Secretary of State as explained below.

Department of Personnel and Administration. The State Archivist will contract with a temporary exhibits designer to develop the proposal for displaying the original constitution for an estimated cost between \$15,000 and \$27,000 in FY 2022-23. To meet the December 31, 2022, deadline for submitting the proposal, the fiscal note assumes that General Fund is required. While the bill prohibits the use of General Fund or cash fund monies, no source of funding has been identified as of this writing.

Secretary of State. The Secretary of State will have an increase in workload to create and store a physical copy of each version of the Colorado Constitution going forward and to make each version available on its website. This increase can be accomplished within existing appropriations.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by \$2,250 in FY 2022-23, which will decrease the amount of General Fund available for other purposes.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2022-23, the bill requires an appropriation of \$15,000 to the Department of Personnel and Administration from the General Fund.

State and Local Government Contacts

Information Technology

Personnel

State