



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 23-1005 Date: August 1, 2023
Prime Sponsors: Rep. Ortiz; Herod Bill Status: Signed into Law
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Bill Topic: CREATE TASK FORCE STUDY RIGHTS PERSONS DISAB

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

The bill creates a task force and four subcommittees to study issues concerning persons with disabilities. The bill increases state expenditures in FY 2023-24 and FY 2024-25.

Appropriation Summary: For FY 2023-24, the enacted bill includes an appropriation of \$289,568 to the Department of Regulatory Agencies

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

Table 1
State Fiscal Impacts Under HB 23-1296

Table with 3 columns: Category, Budget Year FY 2023-24, and Out Year FY 2024-25. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total Expenditures, Total FTE), Transfers, and Other Budget Impacts (General Fund Reserve).

Summary of Legislation

The bill creates the Task Force on the Rights of Coloradans with Disabilities in the Colorado Civil Rights Division (CCRD) in the Department of Regulatory Agencies (DORA). The task force is comprised of at least 15 members, including the Lieutenant Governor, representatives from disability rights advocacy organizations, legal experts, DORA, CCRD, the Department of Local Affairs (DOLA), the Office of Economic Development and International Trade (OEDIT), and the Office of State Planning and Budgeting (OSPB).

The task force must be appointed by August 1, 2023. No later than August 30, 2023, the task force must create four issue subcommittees to separately study and report findings concerning issues related to persons with disabilities. Based on reports from the subcommittees, the task force must produce a final report and recommendations to the Governor and the General Assembly before January 30, 2025.

The CCRD may employ 1.5 FTE to provide administrative support, and contract with a professional facilitator to assist with operations of the task force and subcommittees. Task force members and subcommittee members who are not representing governmental entities may receive per diem and be reimbursed for actual and necessary expenses incurred.

The bill creates the following issue subcommittees:

- the Subcommittee on the Rewrite and Modernization of the Colorado Revised Statutes Concerning the Civil Rights of Persons with Disabilities (rewrite committee);
- the Subcommittee on Basic Access to the Colorado Outdoors for Persons with Disabilities (outdoors committee);
- the Subcommittee on the Affordability, Accessibility, and Attainability of Housing for Persons with Disabilities (housing subcommittee); and,
- the Subcommittee on Physical and Programmatic Basic Access within State and Local Government for Persons with Disabilities (government subcommittee).

The rewrite committee must report to the task force by December 1, 2023. The other subcommittee reports must be made by December 1, 2024. The task force and subcommittees are repealed June 30, 2025.

State Expenditures

The bill increases state expenditures in DORA by \$280,101 in FY 2023-24 and \$134,265 in FY 2024-25, paid from the General Fund. Expenditures are shown in Table 2 and detailed below.

**Table 2
Expenditures Under HB 23-1296**

	FY 2023-24	FY 2024-25
Department of Regulatory Agencies		
Personal Services	\$125,595	\$65,533
Operating Expenses	\$2,025	\$1,080
Capital Outlay Costs	\$13,340	-
Professional Facilitation	\$100,000	\$50,000
Member Compensation	\$48,608	\$12,096
Centrally Appropriated Costs ¹	\$28,291	\$14,952
Total Cost	\$317,859	\$143,661
Total FTE	1.5 FTE	0.8 FTE

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

Personal services. In FY 2023-24, DORA will add 1.0 FTE policy specialist and 0.5 FTE administrative assistant to support the task force and subcommittees. In FY 2024-25, personal service costs represent a half-year impact, since the subcommittees and task force must finalize recommendations by January 2025. Personal service costs include standard operating expenses and capital outlay costs.

Professional facilitation. The CCRD will contract with a professional facilitator to help conduct all task force and subcommittee meetings, and to draft final reports and recommendations. The contact is estimated to be \$100,000 in FY 2023-24, and \$50,000 for one half year in FY 2024-25.

Task force and subcommittee member compensation. The bill provides that members of the task force not representing a governmental agency receive per diem allowance. Per diem is calculated at \$112, the current per diem rate for state legislators. This fiscal note assumes that the rewrite committee only meets in FY 2023-24, and that the task force and other subcommittees meet monthly through December 2024. No expenses are included in this estimate as meetings are assumed to occur remotely. If actual and necessary expenses occur for members, the CCRC must seek additional funds during the budget process.

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 2.

Other state agencies. State agency representatives from the Lieutenant Governor's Office, DOLA, DORA, CCRC, OEDIT, and OSPB must participate as task force members. This is estimated to equate to about \$11,000, and .1 FTE for each affected agency; however, this increase does not rise to the level of requiring new appropriations. If any of the impacted agencies experience an increase in workload in excess of .1 FTE, resources must be sought during the annual budget setting process.

Governor's office of boards and commissions. The governor's office of Boards and Commissions spends about 8.5 hours researching and communicating with potential appointees. This bill requires the Governor to appoint approximately 35 task force and subcommittee members, equating to about \$11,000 and .1 FTE; however, this increase does not rise to the level of requiring new appropriations. Should the Governor's office efforts exceed this estimate, resources must be sought during the annual budget setting process.

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. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

Effective Date

The bill was signed into law by the Governor and took effect on May 25, 2023.

State Appropriations

For FY 2023-24, the enacted bill includes a General Fund appropriation of \$289,568 to the Department of Regulatory Agencies, and 1.5 FTE.

State and Local Government Contacts

Governor's Office
Regulatory Agencies

Local Affairs

Economic Development