



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

---

|                         |   |                        |   |
|-------------------------|---|------------------------|---|
| <b>Drafting Number:</b> | LLS 24-0844                                 | <b>Date:</b>           | January 31, 2024                                      |
| <b>Prime Sponsors:</b>  | Rep. Young; Lukens<br>Sen. Kolker; Marchman | <b>Bill Status:</b>    | House Education                                       |
|                         |   | <b>Fiscal Analyst:</b> | Anna Gerstle   303-866-4375<br>anna.gerstle@coleg.gov |

---

|                    |   |
|--------------------|---|
| <b>Bill Topic:</b> | <b>SCHOOL PSYCHOLOGIST LICENSURE INTERSTATE COMPACT</b> |
|--------------------|---|

---

|                                  |   |   |  |
|----------------------------------|---|---|--|
| <b>Summary of Fiscal Impact:</b> | <input checked="" type="checkbox"/> State Revenue     | <input type="checkbox"/> State Transfer | <input type="checkbox"/> Local Government        |
|                                  | <input checked="" type="checkbox"/> State Expenditure | <input type="checkbox"/> TABOR Refund   | <input type="checkbox"/> Statutory Public Entity |

Conditional upon adoption by other states, the bill enacts the School Psychologists Licensure Interstate Compact to allow school psychologists in a member state to more easily be licensed in another state. The bill may increase state revenue and expenditures in future years.

---

|                               |                               |
|-------------------------------|-------------------------------|
| <b>Appropriation Summary:</b> | No appropriation is required. |
|-------------------------------|-------------------------------|

---

|                            |   |
|----------------------------|---|
| <b>Fiscal Note Status:</b> | The fiscal note reflects the introduced bill. |
|----------------------------|---|

---

## Summary of Legislation

The bill enacts the School Psychologists Licensure Interstate Compact, which allows licensed school psychologists in a member state to more easily obtain a license from another member state. The compact takes effect when seven states have enacted the compact into law.

**School Psychologists Licensure Interstate Compact.** To participate in the compact, the state must require that an applicant for licensure as a school psychologist passes a qualifying national exam, completes at least 1,200 hours of supervision prior to licensure, and graduates from a qualifying school psychologist program. The state must also meet commission participation requirements.

For a school psychologist to obtain licensure in a participating state, they must hold an active license in their home state, complete any administrative or application requirements, and complete a background check.

The compact sets parameters for the sharing of disciplinary information between states, and does not limit the state's ability to implement other licensing requirements or handle violations and enforcement. It also establishes procedures for legal proceedings and enforcement related to the compact.

**Compact Commission.** The bill establishes the compact commission to enforce rules, manage administration of the compact, and facilitate the exchange of information between the states. It must meet at least once per year and includes one representative from each member state. The commission is funded with gifts, grants, and donations, and may levy an annual assessment on each member state to cover expenses.

## Background

School psychologists in Colorado must obtain a special services provider license and endorsement in school psychology, issued by the Colorado Department of Education (CDE).

## Assumptions

The compact is available for states to consider beginning in the 2024 legislative session. As a result, the fiscal note assumes that it has not yet been adopted by any states and will not go into effect in FY 2024-25. Seven states are required to adopt it for the compact to go into effect.

## State Revenue

Conditional upon the compact taking effect, the bill may increase revenue to the Educator Licensure Cash Fund in CDE, if it results in additional applications for licensure as a school psychologist and associated fee revenue. Any revenue change is expected to be minimal. Revenue from licensure fees is subject to TABOR.

In addition, should additional school psychologists apply for licensure in Colorado, the bill may minimally increase state cash fund revenue from fingerprint-based criminal history background checks to the CBI Identification Unit Cash Fund in the Department of Public Safety. The current fee for background checks is \$39.50, which includes \$11.25 for a Federal Bureau of Investigation (FBI) fingerprint based check, which is passed on to that federal agency. The federal portion of this fee is excluded from the state TABOR limit.

## State Expenditures

Conditional upon the compact taking effect, the bill increases workload and costs for the CDE, and workload for the Department of Law, Department of Public Safety, and the Judicial Department, as discussed below

**Colorado Department of Education.** The bill increases workload and costs for CDE, as discussed below. No change in appropriations is required. Any future costs are assumed to be paid from the Educator Licensure Cash Fund.

- **Workload.** CDE will incur workload to implement the compact, including designating staff to represent Colorado on the compact commission, updating materials, modifying any procedures for licensure and data sharing, and handling additional applications from school

psychologists from other states. The workload is expected to be accomplished within current appropriations; any additional resources will be requested through the budget process.

- **Membership dues.** The compact commission may charge an annual fee from member states. The amount and timing of any fee is unknown at this time; if the compact is enacted, CDE will request the fee amount through the budget process. For informational purposes, the fees for Occupational Therapy Licensure Interstate Compact and Audiology and Speech-Language Pathology Interstate Compact were estimated at \$15,000 when those compacts were passed in 2021.
- **Legal services.** CDE may require additional hours of legal services, provided by the Department of Law, to implement the compact, including contracting, data sharing, and licensure eligibility. No change in appropriations is required.

**Judicial Department.** If the bill results in additional civil cases challenging licensing decisions or handling compact proceedings, workload for the trial courts in the Judicial Department will increase by a minimal amount. No change in appropriations is required.

**Department of Public Safety.** To the extent that more school psychologists apply for licensure, workload in the Department of Public Safety will increase to conduct background checks. No change in appropriations is required.

## Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## State and Local Government Contacts

|           |                        |                     |
|-----------|------------------------|---------------------|
| Education | Information Technology | Judicial            |
| Law       | Personnel              | Regulatory Agencies |

---

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).