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Fiscal Note

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Prime Sponsors: Rep. Froelich; Rutinel Bill Status: House Trans. Housing & Local Govt.
Sen. Hinrichsen Fiscal Analyst: Josh Abram | 303-866-3561
josh.abram@coleg.gov

Bill Topic: EQUAL ACCESS TO PUBLIC MEETINGS

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

The bill requires that that each state and local public body make public meetings accessible to persons with disabilities. The bill increases state and local government expenditures beginning FY 2024-25.

Appropriation Summary: For FY 2024-25, the bill requires appropriations totaling \$977,340 to multiple state agencies.

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

Table 1
State Fiscal Impacts Under HB 24-1168

Table with 4 columns: Category, Sub-category, Budget Year FY 2024-25, and Out Year FY 2025-26. Rows include Revenue, Expenditures (General Fund, Cash Funds, Centrally Appropriated, Total Expenditures, Total FTE), Transfers, and Other Budget Impacts (General Fund Reserve).

Summary of Legislation

The bill sets requirements for making public meetings accessible to persons with disabilities. A public meeting occurs whenever public business is discussed, formal action may be taken, or recommendations may be made to a governing body of a state or local public body.

No later than July 1, 2025, each state and local public body must ensure that:

- public meetings be accessible in real time by live streaming video or audio that is recorded and accessible to persons with disabilities;
- documents considered at public meetings are posted online at least 24 hours before a public meeting, or are available in real time during the meeting and meet current prevailing internet accessibility standards;
- public testimony at a public meeting allows any individual to participate using video conferencing accessible to persons with disabilities; and
- auxiliary aids are provided if requested.

Failure of any public body to comply constitutes discrimination on the basis of disability and persons alleging discrimination may seek legal relief through the courts or the Colorado Civil Rights Commission in the Department of Regulatory Agencies.

State Expenditures

The bill increases state expenditures by about \$956,000 in FY 2024-25, and by about \$1.3 million in FY 2025-06, paid from the General Fund and cash funds. Table 2 displays these expenditures for multiple departments. Personal services in FY 2024-25 are prorated for a presumed September 1 implementation and include standard operating and capital outlay. For agencies requiring new staff, a Program Assistant II or a similar position is assumed. Additional detail of these expenditures is provided below.

Table 2
Expenditures Under HB 24-1168

	FY 2024-25	FY 2025-26
Behavioral Health Administration		
Personal Services	\$50,676	\$63,345
Operating Expenses	\$1,024	\$1,280
Capital Outlay Costs	\$6,670	-
Software Licensing	\$15,000	\$15,000
Translation, Interpretation & Aux Aids	\$15,000	\$15,000
Centrally Appropriated Costs ¹	\$13,800	\$17,250
FTE – Personal Services	0.8 FTE	1.0 FTE
BHA Subtotal	\$102,170	\$111,875

**Table 2
Expenditures Under HB 24-1168 (Cont.)**

	FY 2024-25	FY 2025-26
Department of Early Childhood		
Personal Services	\$50,676	\$63,345
Operating Expenses	\$1,024	\$1,280
Capital Outlay Costs	\$6,670	-
Translation, Interpretation & Aux Aids	\$15,000	\$15,000
Centrally Appropriated Costs ¹	\$13,951	\$17,439
FTE – Personal Services	0.8 FTE	1.0 FTE
CDEC Subtotal	\$87,321	\$97,064
Department of Education		
Personal Services	\$50,676	\$63,345
Operating Expenses	\$1,024	\$1,280
Capital Outlay Costs	\$6,670	-
Centrally Appropriated Costs ¹	\$13,484	\$16,855
FTE – Personal Services	0.8 FTE	1.0 FTE
CDE Subtotal	\$71,854	\$81,480
Department of Higher Education		
Personal Services	\$50,676	\$63,345
Operating Expenses	\$1,024	\$1,280
Capital Outlay Costs	\$6,670	-
Software Licensing	\$12,500	\$12,500
Translation, Interpretation & Aux Aids	\$7,500	\$7,500
Centrally Appropriated Costs ¹	\$11,878	\$14,848
FTE – Personal Services	0.8 FTE	1.0 FTE
DHE Subtotal	\$90,248	\$99,473
Office of Information Technology		
Software Licensing	\$13,500	\$13,500
Translation, Interpretation & Aux Aids	\$15,000	\$15,000
OIT Subtotal	\$28,500	\$28,500
Department of Labor and Employment		
Software Licensing	\$4,000	\$4,000
Translation, Interpretation & Aux Aids	\$11,100	\$11,100
CDLE Subtotal	\$15,100	\$15,100

**Table 2
Expenditures Under HB 24-1168 (Cont.)**

	FY 2024-25	FY 2025-26
Department of Military and Veterans Affairs		
Personal Services	\$107,687	\$126,691
Operating Expenses	\$2,176	\$2,560
Capital Outlay Costs	\$13,340	-
Centrally Appropriated Costs ¹	\$25,777	\$30,326
FTE – Personal Services	1.7 FTE	2.0 FTE
DMVA Subtotal	\$148,980	\$159,576
Department of Natural Resources		
Software Licensing	\$12,500	\$12,500
Translation, Interpretation & Aux Aids	\$13,000	\$13,000
DNR Subtotal	\$25,500	\$25,500
Department of Personnel and Administration		
Personal Services	\$107,687	\$126,691
Operating Expenses	\$2,176	\$2,560
Capital Outlay Costs	\$13,340	-
Centrally Appropriated Costs ¹	\$30,386	\$35,748
FTE – Personal Services	1.7 FTE	2.0 FTE
DPA Subtotal	\$153,589	\$164,998
Department of Public Health and Environment		
Personal Services	\$82,349	\$95,018
Operating Expenses	\$1,664	\$1,920
Capital Outlay Costs	\$13,340	-
Software Licensing	\$20,000	\$20,000
Translation, Interpretation & Aux Aids	\$216,000	\$216,000
Centrally Appropriated Costs ¹	\$22,710	\$26,203
FTE – Personal Services	1.3 FTE	1.5 FTE
CDPHE Subtotal	\$356,063	\$359,141
Department of Regulatory Agencies		
Personal Services	-	\$253,381
Operating Expenses	-	\$5,120
Capital Outlay Costs	-	\$26,680
Legal Services	\$15,000	\$15,000
Centrally Appropriated Costs ¹	-	\$71,700
FTE – Personal Services	0.0 FTE	4.0 FTE
DORA Subtotal	\$15,000	\$371,881

Table 2
Expenditures Under HB 24-1168 (Cont.)

Department of State		
Software Licensing	\$15,000	-
Translation, Interpretation & Aux Aids	-	\$25,290
DOS Subtotal	\$15,000	\$25,290
Total Cost	\$1,109,326	\$1,539,871
Total FTE	7.9 FTE	13.5 FTE

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

Public meeting accessibility. Every agency conducting meetings for public bodies will have increased expenses for administrative staff and assistance with virtual meeting coordination. Costs increase to ensure meeting documents are posted on the website in advance, are available in real time during meetings, and meet current prevailing internet accessibility standards. Additionally, costs increase for video conferencing platform licensing, for communication access real time translation (CART) services, and for ASL interpretation and other auxiliary disability aids that may be requested. Unless otherwise estimated in Table 2, costs are assumed to be absorbable within state agencies' current budgets or can be adjusted through the annual budget process, if needed.

Document accessibility. In addition to the administrative support and information technology costs for meeting accessibility, the bill also increases expenses for all state agencies to meet document posting requirements, and to ensure that all documents meet current prevailing internet accessibility standards. Given the volume of meetings and documents within the Department of Regulatory Agencies (DORA), additional staff is required in that agency beginning in FY 2025-26.

Under current law, state agencies must ensure accessibility for departmental public records. Requiring all third-party documents that might be part of a public meeting to meet accessibility standards likely increases the cost and workload to convert documents that are not typically part of a department's custodial records. If costs exceed resources for this increase, state agencies will seek additional funding during the annual budget process.

Capital improvement and information technology. Several agencies estimated the need for capital upgrades and other major information technology purchases. The DHE estimated capital upgrades for conference rooms at \$100,000, the OIT estimated the need for a mobile conference system at \$65,000, and the DMVA estimated a need for over \$470,000 for various information technology and facility upgrades. These estimates have not been included in the fiscal note estimate, but may be incurred depending on agency strategies for complying with the bill. It is assumed these large capital and IT costs will be addressed in the annual budget process, following review by the Capital Development and Joint Technology Committees.

State litigation and risk impacts. The bill may increase litigation and risk management costs to the state if agencies fail to fully comply with the accessibility requirements outlined in the bill. If such cases occur, state agencies and institutions of higher education will have increased costs for legal services, provided by the Department of Law. Depending on the outcome of any cases, settlement or liability payments may be required from the Risk Management Fund in the Department of Personnel and Administration. State agencies make payments for legal services and risk management through common policy billings based on costs incurred in prior years. It is assumed any new costs, if incurred, will be accounted for through the annual budget process.

Other agency impacts. The bill is expected to increase workload and expenses in several other agencies, including the Judicial Department and the Colorado Civil Rights Commission in DORA to consider additional cases of alleged discrimination and in the State Archives in the Department of Personnel and Administration to archive meeting recordings. These costs are assumed minimal and do not require new appropriations.

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 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.

Local Government

Similar to state agencies, all local public bodies and local governments will have increased costs for virtual meeting coordinators, video conferencing platform licensing, communication access real time translation (CART) services, ASL interpretation and other auxiliary disability aids, and to ensure internet document accessibility. In some instances, capital improvement expenses are also anticipated for local public bodies that do not currently have the necessary meeting spaces and hardware. These costs have not been estimated per public body.

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 2024-25, the bill requires the following General Fund appropriations:

- \$88,370 and 0.8 FTE to the Department of Human Services, Behavioral Health Administration;
- \$73,370 and 0.8 FTE to the Department of Early Childhood Education;
- \$58,370 and 0.8 FTE to the Colorado Department of Education;
- \$78,370 and 0.8 FTE to the Department of Higher Education;
- \$28,500 to the Office of Information Technology;
- \$15,100 to the Colorado Department of Labor and Employment;
- \$123,203 and 1.7 FTE to the Department of Military and Veterans Affairs;
- \$25,500 to the Department of Natural Resources;
- \$123,203 and 1.7 FTE to the Department of Personnel and Administration;
- \$333,353 and 1.3 FTE to the Colorado Department of Public Health and Environment; and
- \$15,000 to the Department of Regulatory Agencies.

For FY 2024-25, the bill requires an appropriation of \$15,000 from the Department of State Cash Fund to the Department of State.

Departmental Difference

All state and local agencies made estimates of the cost to implement accessibility requirements for public meetings, however those estimates are widely disparate, and in some cases unrelated to the total number of public bodies conducting public meetings. This fiscal note made assumptions about the appropriate staffing level needed to support agencies with accessibility requirements, and applied a uniform cost for new administrative staff for state agencies. Agencies also estimated a broad range of costs to supply auxiliary disability aids. This fiscal note made assumptions about the number of public meetings for affected agencies, and estimated a uniform cost for auxiliary aids. If actual costs exceed these estimates, those resources must be addressed in the budget process.

The Department of Personnel and Administration estimated a need for about \$3.0 million for the Risk Management Pool. This was assumed to be paid from the General Fund in FY 2024-25, and from reappropriated funds thereafter. This fiscal note does not estimate a specific appropriation for risk management, which must instead be calculated when actual costs are known, and addressed during the budget process.

State and Local Government Contacts

All State Agencies

Counties

Municipalities

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](#).