

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING SOCIAL MEDIA COMPANIES, AND, IN CONNECTION THEREWITH, ESTABLISHING REQUIREMENTS FOR THE OPERATION OF SOCIAL MEDIA PLATFORMS BY SOCIAL MEDIA COMPANIES AND AUTHORIZING THE ATTORNEY GENERAL TO ENFORCE THE NEW REQUIREMENTS UNDER THE "COLORADO CONSUMER PROTECTION ACT".

Prime Sponsors: Sens. Hansen and Michaelson Jenet
Representative Lukens

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Phone: 303-866-4957
Date Prepared: April 15, 2024

Appropriation Items of Note

Appropriation Required, Amendment in Packet

General Fund Impact

Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/04/24.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.003	Bill Sponsor amendment - does not change fiscal impact

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$95,609 General Fund to the Department of Law for FY 2024-25. This provision also states

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JBC Staff Analysis

that the appropriation is based on the assumption that the Department will require an additional 0.8 FTE.

L.003 Bill Sponsor amendment **L.003** (attached) makes a technical correction to eliminate an effective date of July 1, 2025 from the bill, which precludes the Department of Law from accessing the required appropriation in FY 2024-25.

The Committee should adopt both amendment **J.001** and amendment **L.003**.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2024-25 based on the March 2024 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes \$93.5 million in set-asides for legislation outside of the package (see table below). The budget package accounts for the 15.0 percent reserve associated with the placeholders (a total of \$14.0 million).

General Fund Appropriation Placeholders for Other 2024 Legislation	
Description	FY 2024-25
General Legislative Priorities	\$21,739,130
Legislation for Shared Housing Priorities	42,478,261
Legislation for Shared Workforce and Education Priorities	16,152,110
Legislation for Other Shared Priorities	10,519,130
Legislation for Distributions to Rural Hospitals	2,608,689
TOTAL Placeholders for Other 2024 Legislation	\$93,497,320

This bill requires a General Fund appropriation of \$95,609 for FY 2024-25, reducing the \$93.5 million set aside by the same amount.

Technical Issues

The bill, as amended by the Senate Committee on Business, Labor, and Technology, has an effective day of July 1, 2025, however, the Department of Law indicates it requires an FY 2024-25 appropriation for costs to startup the program prior to requiring social media companies' compliance with provisions outlined in the bill. Adopting amendment **L.003** corrected this technical issue and allows the appropriation included in amendment **J.001** to be effective starting in FY 2024-25.