



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 25-1 252: CDPHE REGULATION OF ABORTION CLINICS

Prime Sponsors:

Rep. Bottoms

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Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill requires CDHPE to license and regulate certain abortion clinics.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- State Revenue
- State Expenditures

Appropriations. For FY 2025-26, the bill requires an appropriation of \$29,694 to the Department of Public Health and Environment.

Table 1
State Fiscal Impacts

| Type of Impact ¹ | Budget Year FY 2025-26 | Out Year FY 2026-27 | Out Year FY 2027-28 | Out Year FY 2028-29 |
|-----------------------------|---------------------------|------------------------|------------------------|------------------------|
| State Revenue | \$0 | \$0 | \$35,000 | \$15,700 |
| State Expenditures | \$36,147 | \$48,196 | \$34,933 | \$15,658 |
| Transferred Funds | \$0 | \$0 | \$0 | \$0 |
| Change in TABOR Refunds | \$0 | \$0 | not estimated | not estimated |
| Change in State FTE | 0.3 FTE | 0.4 FTE | 0.3 FTE | 0.1 FTE |

¹ Fund sources for these impacts are shown in the tables below.

Table 1A
State Revenue

| Fund Source | Budget Year FY 2025-26 | Out Year FY 2026-27 | Out Year FY 2027-28 | Out Year FY 2028-29 |
|----------------------|-----------------------------------|--------------------------------|--------------------------------|--------------------------------|
| General Fund | \$0 | \$0 | \$0 | \$0 |
| Cash Funds | \$0 | \$0 | \$35,000 | \$15,700 |
| Total Revenue | \$0 | \$0 | \$35,000 | \$15,700 |

Table 1B
State Expenditures

| Fund Source | Budget Year FY 2025-26 | Out Year FY 2026-27 | Out Year FY 2027-28 | Out Year FY 2028-29 |
|---------------------------|-----------------------------------|--------------------------------|--------------------------------|--------------------------------|
| General Fund | \$29,694 | \$39,592 | \$0 | \$0 |
| Cash Funds | \$0 | \$0 | \$28,764 | \$13,380 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 |
| Centrally Appropriated | \$6,453 | \$8,604 | \$6,169 | \$2,278 |
| Total Expenditures | \$36,147 | \$48,196 | \$34,933 | \$15,658 |
| Total FTE | 0.3 FTE | 0.4 FTE | 0.3 FTE | 0.1 FTE |

Summary of Legislation

The bill requires the Department of Public Health and Environment (CDPHE) to license and regulate abortion clinics that perform second- and third-trimester abortion procedures. This excludes hospitals and hospital units that are regulated separately.

Background and Assumptions

It is assumed that there are nine abortion clinics that perform second- and third-trimester abortion procedures in Colorado that are not already licensed and regulated by the CDPHE.

State Revenue

The bill increases state cash fund revenue to the CDPHE by \$35,000 in FY 2027-28 and \$15,700 in FY 2028-29 and ongoing. Revenue impacts are described below.

Fee Impact on Abortion Clinics

Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. These fee amounts are estimates only, actual fees will be set administratively by CDPHE based on cash fund balance, program costs, and the number of licenses subject to the fee. The table below identifies the fee impact of this bill. These fees are subject to TABOR.

**Table 2
 Fee Impact on Abortion Clinics**

| Fiscal Year | Type of Fee | Estimated Fee | Number Affected | Total Fee Impact |
|--------------------|---------------------|----------------------|------------------------|-------------------------|
| FY 2027-28 | Initial License Fee | \$3,890 | 9 | \$35,000 |
| FY 2028-29 | License Renewal Fee | \$1,740 | 9 | \$15,700 |

Fines

Fines assessed on abortion clinics that violate the licensing rules are credited to the General Fund. The fiscal note assumes that most facilities will comply with licensure requirements, and the revenue from fines will be minimal. These fines are subject to TABOR.

State Expenditures

The bill increases state expenditures in CDPHE by \$36,100 in FY 2025-26 and \$48,200 in FY 2026-27. Costs in the first two years are paid from the General Fund; costs in FY 2027-28 and beyond will be paid from the General Licensure Fund once fee revenue has been established. Expenditures are shown in Table 2 and detailed below.

**Table 2
 State Expenditures
 Department of Public Health and Environment**

| Cost Component | Budget Year FY 2025-26 | Out Year FY 2026-27 | Out Year FY 2027-28 | Out Year FY 2028-29 |
|------------------------------|-----------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Personal Services | \$29,310 | \$39,080 | \$26,260 | \$11,132 |
| Operating Expenses | \$384 | \$512 | \$384 | \$128 |
| Travel Expenses | \$0 | \$0 | \$2,120 | \$2,120 |
| Centrally Appropriated Costs | \$6,453 | \$8,604 | \$6,169 | \$2,278 |
| Total Costs | \$36,147 | \$48,196 | \$34,933 | \$15,658 |
| Total FTE | 0.3 FTE | 0.4 FTE | 0.3 FTE | 0.1 FTE |

Department of Public Health and Environment

The CDPHE will have staff costs beginning in FY 2025-26 to implement the bill.

Staff

From FY 2025-26 to FY 2026-27, CDPHE requires 0.4 FTE to manage the rulemaking process, including stakeholder engagement, providing policy expertise, and coordinating stakeholder meetings and Board of Health hearings over two years. First-year costs are prorated for a September 1, 2025 start date, and salaries for the policy advisors reflect actuals.

In FY 2027-28, 0.3 FTE is required for licensing and regulation of facilities, including inspecting facilities and reviewing physical building plans to ensure compliance with health care facility requirements. After initial licensure, 0.1 FTE is required for ongoing facility inspections for license renewal and to investigate complaints against facilities.

Travel Expenses

Beginning in FY 2027-28, the fiscal note assumes travel will be required for staff to regulate three facilities located outside of the Denver metro area. The annual travel expenses of \$2,120 include 10 visits a year to facilities at varying lengths depending on inspection type.

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 may include employee insurance, supplemental employee retirement payments, leased space, and indirect cost assessments, are shown in the expenditure table above.

TABOR Refunds

The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by the amounts shown in the State Revenue section above. This estimate assumes the December 2024 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2026-27. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save.

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 2025-26, the bill requires a General Fund appropriation of \$29,694 to the Department of Public Health and Environment, and 0.3 FTE.

State and Local Government Contacts

Law

Public Health and Environment

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](#).