



# Fiscal Note

## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

### BILL 5: RAILROAD INVESTIGATIVE REPORT CONFIDENTIALITY

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**Prime Sponsors:**

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**Fiscal note status:** The fiscal note reflects the bill draft requested by the Transportation Legislation Review Committee.

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#### Summary Information

**Overview.** The bill repeals the confidentiality requirement for investigative reports of railroads, with exceptions for certain ongoing investigations and security information.

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

- Minimal State Workload

**Appropriations.** No appropriation is required.

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**Table 1**  
**State Fiscal Impacts**

<b>Type of Impact</b>	<b>Budget Year FY 2024-25</b>	<b>Out Year FY 2025-26</b>
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

## Summary of Legislation

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The bill repeals the requirement that investigative reports of railroads made for the Public Utilities Commission (PUC) in the Department of Regulatory Agencies (DORA) be kept confidential, and gives the PUC authority to create rules making certain ongoing investigations and security information confidential. These rules cannot make final reports of investigations confidential and must require timely release of information for the protection of public safety.

## State Expenditures

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The bill increases workload for the PUC staff to develop new rules on investigative reports of railroads to comply with the bill's requirements and respond to a potential increase in Colorado Open Records Act requests. In addition, the PUC requires legal services from the Department of Law to review up to 30 investigative reports annually for personally identifiable information and security sensitive information. This increase in workload and legal services can be accomplished within existing appropriations.

## Effective Date

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

## State and Local Government Contacts

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Regulatory Agencies

Transportation

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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.