

**FINAL
FISCAL NOTE**

Drafting Number: LLS 11-0364
Prime Sponsor(s): Sen. King S.

Date: May 17, 2011
Bill Status: Postponed Indefinitely
Fiscal Analyst: Clare Pramuk (303-866-2677)

TITLE: CONCERNING THE MANDATORY POST-ENACTMENT REVIEW BY LEGISLATIVE SERVICE AGENCIES OF THE IMPLEMENTATION OF ENACTED BILLS.

Fiscal Impact Summary	FY 2011-12 to FY 2016-17	FY 2017-18	FY 2018-19
State Revenue			
State Expenditures General Fund		\$27,883	\$27,883
FTE Position Change		0.6 FTE	0.6 FTE
Effective Date: The bill was postponed indefinitely by the Senate State, Veterans & Military Affairs Committee on February 2, 2011.			
Appropriation Summary for FY 2011-2012: None required.			
Local Government Impact: None.			

Summary of Legislation

Under current law, the nonpartisan legislative services agencies conduct a post-enactment review on any bill that contains an accountability clause. Inclusion of the accountability clause on a bill is optional, but when included, the clause must identify either a 2-year or 5-year review option. Beginning January 1, 2012, this bill makes the accountability clause mandatory with exceptions when such a review is inappropriate such as for appropriations, redistricting, and criminal sentencing bills. The 2-year option is eliminated, so only 5-year reviews will be conducted. The 10 items set in statute for consideration in a review, are unchanged.

State Expenditures

Beginning in FY 2017-18, this bill is expected to increase annual General Fund expenditures by \$27,883. These costs are in current dollars so may change by the time an appropriation is required.

Legislative Service Agencies. Under existing law, only 10 bills have included accountability clauses. The legislative service agencies have completed 5 reviews while the other 5 bills have review deadlines beyond the current fiscal year. Due to the limited number, these reviews have been conducted with existing resources.

The fiscal note estimates that beginning in FY 2017-18, over 400 bills per year will include accountability clauses. This increase will require a corresponding increase in staff in the service agencies. Based on the estimated number of bills, the service agencies will require an additional 0.6 FTE at a cost of \$27,883 per fiscal year as shown in Table 1.

Table 1. Expenditures Under SB11-046			
Cost Components	FY 2011-12 to FY 2016-17	FY 2017-18	FY 2018-19
Personal Services		\$27,307	\$27,307
FTE		0.6	0.6
Operating Expenses and Capital Outlay		576	576
TOTAL		\$27,883	\$27,883

Executive Agencies. The bill also requires the cooperation of executive branch state agencies. It is assumed that most of the costs for this cooperation will be absorbed within existing appropriations, like the cooperation required for similar auditing functions. However, to the extent that additional resources are deemed necessary to comply with a post-enactment review of a bill in the future, these costs will be identified in the fiscal note for that bill.

Expenditures Not Included

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. The centrally appropriated costs subject to this policy are summarized in Table 2.

Table 2. Expenditures Not Included Under SB11-046*			
Cost Components	FY 2011-12 to FY 2016-17	FY 2017-18	FY 2018-19
Employee Insurance (Health, Life, Dental, and Short-term Disability)		\$4,301	\$4,301
Supplemental Employee Retirement Payments		1,456	1,456
TOTAL		\$5,757	\$5,757

**More information is available at: <http://colorado.gov/fiscalnotes>*

Departments Contacted

All State Agencies