

**FINAL
FISCAL NOTE**

Drafting Number: LLS 12-0743

Date: June 19, 2012

Prime Sponsor(s): Rep. Lee

Bill Status: Postponed Indefinitely

Fiscal Analyst: Kirk Mlinek (303-866-4782)

TITLE: CONCERNING A METHOD OF ACHIEVING THE TECHNICAL RECODIFICATION OF THE COLORADO REVISED STATUTES OVER A PERIOD OF TIME.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditure		
General Fund	\$177,951	\$203,811
FTE Position Change	3.6 FTE	4.5 FTE
Effective Date: The bill was postponed by the House Judiciary Committee on February 21, 2012.		
Appropriation Summary for FY 2012-2013: See State Appropriations section.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

The bill provides for the technical recodification of the Colorado Revised Statutes (C.R.S.) over time. Beginning in 2012, the bill:

- directs the General Assembly's Committee on Legal Services (COLS) to identify from one to five statutory titles for thorough review and possible technical recodification;
- authorizes the COLS to direct the Office of Legislative Legal Services (OLLS) to conduct the review and to make appropriate technical recodification recommendations to the COLS for each title reviewed;
- permits the COLS to appoint a subcommittee from among its membership to study titles for recodification;
- permits the COLS to sponsor a bill during the next legislative session for each title for which changes and recodification are recommended;
- permits the COLS, the COLS subcommittee, and OLLS to solicit comments from affected state agencies, the Colorado Bar Association, the Judicial Branch, and other interested persons or organizations, to determine which titles to address and to identify changes to be made;
- requires the process to continue until all C.R.S. titles have been reviewed and recodified, if necessary.

Attachment A shows the implementation schedule proposed by the OLLS.

Background

Colorado's statutes were universally recodified in 1953, 1963, and 1973. Under the supervision of the COLS, OLLS annually updates the state's laws. Since 1997, the official statutes have been published in a set of softbound volumes called the Colorado Revised Statutes (C.R.S.). The state's statutes are arranged according to code titles, articles, and sections under a numbering system. Currently, Colorado law contains 44 titles and a complete subject index. The COLS contracts with a publisher to print the C.R.S. All of the editorial work that goes into the annual compilation of updates is performed by OLLS staff.

State Expenditures

For FY 2012-13, General Fund expenditures in the Office of Legislative Legal Services will increase by \$177,951 and 3.6 FTE. For FY 2013-14 and future years, expenditures will increase by \$203,811 General Fund and 4.5 FTE. The fiscal note is based on the following assumptions:

- the COLS will appoint one subcommittee to develop recodification criteria and to select the titles to be reviewed;
- current revision conventions will be maintained, e.g., drafting conventions, numbering conventions, etc.;
- 3 titles will be selected for recodification each year; and
- work required by the bill requires the skills of existing experienced staff from affected subject area teams, meaning that the FTE identified above will be hired at the entry level to backfill for the current staff who will be reassigned during each review cycle.

In order to implement the bill, OLLS will hire one staff attorney and 3.5 legislative assistants. The first-year costs are prorated to reflect the August effective date and the General Fund pay date shift. Table 1 summarizes expenditures under the bill.

Cost Components	FY 2012-13	FY 2013-14
Personal Services	\$157,600	\$199,536
FTE	3.6	4.5
Operating Expenses and Capital Outlay	20,351	4,275
TOTAL	\$177,951	\$203,811

Other agency impacts. The bill has the potential to increase the workload of all branches of government. Entities whose governing titles are selected in a review cycle are expected to participate in the process by attending hearings and by complying with requests for information from the COLS or its subcommittee. The fiscal impact of this potential increase has not been estimated.

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 HB12-1208*		
Cost Components	FY 2012-13	FY 2013-14
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$22,030	\$27,541
Supplemental Employee Retirement Payments	8,402	12,248
TOTAL	\$30,432	\$39,789

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

Local Government Impact

The bill has the potential to increase the workload of local governments during the COLS' review of applicable titles. Local governments will participate by attending meetings and responding to COLS's requests for information. The fiscal impact of this increase has not been estimated.

State Appropriations

The Office of Legislative Legal Services in the Legislative Branch requires an appropriation of \$171,976 General Fund and 3.6 FTE for FY 2012-13.

Departments Contacted

All Departments

Legislature

Judicial

Attachment A
Proposed Implementation of HB12-1208 by the Office of Legislative Legal Services

		2012												2013												2014												2015																																															
		J	F	M	A	M	Jun	Jul	A	S	O	N	D	J	F	M	A	M	Ju	Jul	A	S	O	N	D	J	F	M	A	M	Ju	Jul	A	S	O	N	D	J	F	M	A	M	Ju	Jul	A	S	O	N	D																																				
Phase 1 (1-5 titles selected for Recodification)														OLLS develops plan for implementing first year of recodification.												COLS appoints subcommittee to develop criteria for recodification project and for titles selected for review.												OLLS prepares drafts recodification bill for each selected title to present to COLS for review/approval (by 12/31)												GA considers recod. bills												GA considers accompanying Revisor's bills																							
														OLLS identifies titles to recommend to COLS for recodification . COLS to act by 12/31												Subcommittee sets deadline for comments and schedules hearings for public testimony.																								OLLs performs all publication work for 2014 CRS to reflect recodified titles as well as all other changes enacted in 2014 session.																																			
																										OLLs staff performs comprehensive review and analysis of selected titles, populates database with proposed changes to recodified statutory sections, and prepares accompanying editorial material.																																																											
		2012												2013												2014												2015																																															
		J	F	M	A	M	Jun	Jul	A	S	O	N	D	J	F	M	A	M	Ju	Jul	A	S	O	N	D	J	F	M	A	M	Ju	Jul	A	S	O	N	D	J	F	M	A	M	Ju	Jul	A	S	O	N	D																																				
Phase 2 (1-5 titles selected for Recodification)																										OLLS develops plan for implementing second year of recodification.												COLS appoints subcommittee to develop criteria for recodification project and for titles selected for review.												OLLs prepares drafts recodification bill for each selected title to present to COLS for review/approval (by 12/31)												GA considers recod. bills												GA considers accompanying Revisor's bills											
														OLLS identifies titles to recommend to COLS for recodification . COLS to act by 12/31												Subcommittee sets deadline for comments and schedules hearings for public testimony.																								OLLs performs all publication work for 2015 CRS to reflect recodified titles as well as all other changes enacted in 2015 session.																																			
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