



# HB 23-1066

## Legislative Council Staff

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# Revised Fiscal Note

(replaces fiscal note dated February 1, 2023)

**Drafting Number:** LLS 23-0626  
**Prime Sponsors:** Rep. Bradley

**Date:** April 11, 2023  
**Bill Status:** House Appropriations  
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**Bill Topic:** PUBLIC ACCESS LANDLOCKED PUBLICLY OWNED LAND

**Summary of Fiscal Impact:**

- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

The bill creates a task force in the Department of Natural Resources to study the issue of access to public land that shares a border with public land, but to which access is inhibited by private land. The bill will increase state expenditures for FY 2023-24 only.

**Appropriation Summary:** For FY 2023-24, the bill requires an appropriation of \$170,632 to the Department of Natural Resources.

**Fiscal Note Status:** The fiscal note reflects the introduced bill, as amended by the House Agriculture, Water, and Natural Resources Committee.

**Table 1**  
**State Fiscal Impacts Under HB 23-1066**

		Budget Year FY 2023-24	Out Year FY 2024-25
<b>Revenue</b>		-	-
<b>Expenditures</b>	General Fund	\$170,632	-
<b>Transfers</b>		-	-
<b>Other Budget Impacts</b>	General Fund Reserve	\$25,595	-

## Summary of Legislation

The bill creates a task force in the Colorado Parks and Wildlife (CPW) in the Department of Natural Resources to study access to public land that shares a border with public land where access is blocked by privately owned land. The task force must have its first meeting by September 15, 2023, meet at least four times, and submit a report to the legislature by November 15, 2023. Task force members serve without compensation or reimbursement.

## Assumptions

The fiscal note shows FY 2023-24 costs; however, it assumes that CPW will not be able to meet the timeline outlined in the bill. See Technical Note.

While the required study is not a prohibited use of CPW cash funds, the requirements to convene stakeholders to study and make legislative recommendations concerning private and public land trespass rights is beyond the typical scope of the work supported by CPW cash funds, so the fiscal note assumes General Fund is required.

## State Expenditures

The bill increases state expenditures in the Department of Natural Resources by \$170,632 in FY 2023-24 only paid from the General Fund. Expenditures are shown in Table 2 and detailed below.

**Table 2**  
**Expenditures Under HB 23-1066**

	FY 2023-24	FY 2024-25
<b>Department of Natural Resources</b>		
Contractor Costs	\$166,000	-
Staff Travel Costs	\$4,632	-
<b>Total Cost</b>	<b>\$170,632</b>	<b>-</b>

**Department of Natural Resources.** Expenditures for CPW will increase for contractor and travel reimbursement costs.

- **Contractor costs.** CPW will need to hire a contractor to provide task force support, including statewide meeting coordination and planning and meeting facilitation. The level of resources included in the fiscal note assumes a significant participation level from stakeholders and the public, with contractor costs based on wolf reintroduction meetings as a proxy.
- **Staff travel costs.** CPW staff workload will be absorbed within existing resources; however, CPW will require funding to reimburse two state employees for travel expenses associated with holding and participating in public meetings.

## Technical Note

**Timeline feasibility.** The timeline outlined in the bill is as follows:

- the bill becomes effective by mid-August;
- task force members must be appointed by September 1, 2023;
- the first meeting must be held by September 15, 2023; and
- the task force shall meet at least four times and transmit a report by November 15, 2023.

This timeline allows about one month for CPW to convene the task force members and have its first meeting, about two months to conduct meetings and to study the issues discussed in the bill, receive public comment, make legislative recommendations, and submit a final report. The timeline requirements outlined in the bill would not be implementable by CPW.

## Other Budget Impacts

**General Fund reserve.** Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

## 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 2023-24, the bill requires a General Fund appropriation of \$170,632 to the Department of Natural Resources.

## State and Local Government Contacts

Natural Resources