



**Colorado  
Legislative  
Council  
Staff**

**HB16-1276**

**FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-0963 **Date:** March 9, 2016  
**Prime Sponsor(s):** Rep. Hamner; Coram **Bill Status:** House Agriculture  
 Sen. Roberts; Donovan **Fiscal Analyst:** Josh Abram (303-866-3561)

**BILL TOPIC:** CONDUCT EMERGENCY RESPONSES AT LEGACY MINING SITES

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
<b>State Revenue</b>		
<b>State Expenditures</b> Cash Funds	See State Expenditures section.	
<b>Appropriation Required:</b> None.		
<b>Future Year Impacts:</b> Ongoing expenditure impact.		

**Summary of Legislation**

Under current law, the Division of Reclamation, Mining, and Safety in the Department of Natural Resources (DNR) may use funds from the Emergency Response Cash Fund to respond to hazardous conditions at a mining site only if the site is subject to the division's regulatory authority. This bill authorizes use of the fund to conduct an emergency response when circumstances exist at a legacy mine site that create a danger to public health or welfare, or to the environment. A legacy site is a mine where hard rock mining operations have been abandoned prior to July 1, 1976, and there is no continuing responsibility for reclamation under state or federal laws.

**Background**

The Division of Reclamation, Mining, and Safety regulates development and reclamation at active mining sites, reclaims abandoned mine sites, and provides safety training for mine operators and employees.

From FY 2011-12 through FY 2013-14, the General Assembly annually appropriated \$25,000 to the Emergency Response Cash Fund; however, annual expenditures often exceeded this amount and have been covered out of other line items within the division. The cash fund appropriation was subsequently increased to \$100,000 for FY 2015-16. The appropriation provides funds for the DNR to use for an initial response to environmental emergencies at permitted mining sites. For large scale emergencies, there are procedures for the Governor or the Joint Budget Committee to make additional funding available but the funds in the emergency response fund may

be used immediately while other funds are secured. The total emergency response expenditures from all line items have not exceeded \$75,000 in any year. No expenditures have been made to date in FY 2015-16.

**State Expenditures**

The bill expands the type of mine site for which the DNR may use funds from the Emergency Response Cash Fund; however, the bill does not change the amount of money in the cash fund which may increase the amount of spending from the fund.

**Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to conduct occurring on or after the effective date.

**State and Local Government Contacts**

Information Technology  
Natural Resources

Law  
Public Safety

Local Affairs

**Research Note Available**

An LCS Research Note for HB16-1276 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.