

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE REGULATION OF CHARITABLE SOLICITATIONS BY THE SECRETARY OF STATE, AND, IN CONNECTION THEREWITH, MODIFYING AND CLARIFYING FILING REQUIREMENTS AND ENFORCEMENT OF THE "COLORADO CHARITABLE SOLICITATIONS ACT".

Prime Sponsors: Representative Wist
Senator Newell

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Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/17/16.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

JBC Staff and Legislative Council Staff agree there is a technical issue related to the effective date of July 1, 2017, currently included in the bill. According to the LCS Fiscal Note, the Department of State will require an appropriation in FY 2016-17 to update the relevant IT systems before the other the provisions in the bill go into effect. However, because of the effective date, the Department would not be able to access any appropriation made in FY 2016-17. To rectify this, amendment **J.001** (described below) includes a provision that changes the effective dates in the bill. Sections 7 and 8—the appropriation clause and the applicability clause—will become effective on August 10, 2016, and the effective date for Sections 1 through 6 of the bill will be July 1, 2017. This will allow the Department of State to access the appropriation in FY 2016-17 before the remaining provisions go into effect at the start of FY 2017-18.

Please note that, due to the effective date issue described above, the revenue impact of the bill identified in the attached LCS Fiscal Note is incorrect. No cash fund revenues will be generated from penalties in FY 2016-17 as all provisions in the bill except the appropriation and applicability clauses will become effective starting in FY 2017-18, assuming amendment **J.001** is adopted. JBC Staff and Legislative Council Staff agree on this correction to the fiscal note.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to: (1) add a provision appropriating a total of \$65,920 cash funds from the Department of State Cash Fund to the Department of State for FY 2016-17; and (2) adjust the effective dates in the bill to allow the Department of State to access the appropriation in FY 2016-17 before the other provisions in the bill go into effect at the beginning of FY 2017-18.

Points to Consider*TABOR/ Excess State Revenues Impact*

Please note that, with the exception of a small amount of federal funding, the Department of State is entirely supported by cash fund revenues from fees for business filings and other licensing and registration programs. Pursuant to Section 24-21-104, C.R.S., the Department is authorized to adjust fees so revenue approximates the Department's direct and indirect costs. This individual bill would contribute to overall expenditures from the Department of State Cash Fund. If the Department of State needed to raise fees so there was sufficient revenue to cover these expenditures, the increase in cash fund revenues would contribute to TABOR refunds should they be required.