



**Colorado  
Legislative  
Council  
Staff**

**HB17-1027**

**FINAL  
FISCAL NOTE**

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

**Drafting Number:** LLS 17-0257 **Date:** August 8, 2017  
**Prime Sponsor(s):** Rep. Becker J.; Buckner **Bill Status:** Signed into Law  
 Sen. Gardner; Garcia **Fiscal Analyst:** Erin Reynolds (303-866-4146)

**BILL TOPIC:** REMOVE FUND REPEAL AND CLARIFY ORGAN DONOR PROCESS

<b>Fiscal Impact Summary</b>	<b>FY 2017-2018</b>	<b>FY 2018-2019</b>	
This bill changes and continues a program that would otherwise end July 1, 2018, so the fiscal note shows the new and continuing fiscal impacts.	New	New	Continuation
<b>State Revenue</b>		<b>\$445,000</b>	
Cash Funds			\$445,000
<b>State Expenditures</b>	<b>\$33,750</b>	<b>\$440,000</b>	
Cash Funds	33,750	Minimal workload reduction.	\$440,000
<b>Appropriation Required:</b> \$33,750 – Department of Revenue (FY 2017-18).			
<b>Future Year Impacts:</b> Ongoing state revenue and expenditure increase and workload reduction through FY 2027-28.			

**Summary of Legislation**

The bill continues the Emily Maureen Ellen Keyes Organ and Tissue Donation Awareness Fund through September 1, 2027, and renames it the Emily Keyes – John W. Buckner Organ and Tissue Donation Awareness Fund. The bill clarifies that an applicant's self-designation as an organ and tissue donor on a driver license, identification card, or instruction permit remains in effect until revoked by the applicant, codifying that organ donation is an advance directive and a lifetime designation. Under the bill, computer reprogramming costs for the Division of Motor Vehicles (DMV) may be paid from the fund. Finally, the bill requires the Donor Alliance, Inc., to submit an annual report to the Department of Revenue (DOR) detailing the amounts and specific uses of all funds it receives by October 1 of each year, which the DOR must include as part of its SMART Government Act hearing.

**Background**

During the Colorado driver license, identification card, or instruction permit application and renewal process, an applicant may concurrently become registered as an organ and tissue donor. The DMV currently confirms an individual's organ donation status each time a document is issued

or renewed. Applicants are also asked if they would like to make a voluntary donation to the fund, which is used to support public education surrounding organ and tissue donation. The fund is TABOR exempt. The state treasurer makes a quarterly deposit of this fund's revenue to the Donor Alliance, Inc. Organ donors can update their donation at any time at Donate Life Colorado's website.

## **State Revenue**

Beginning in FY 2018-19 and each year thereafter, the bill will increase state cash fund revenue by approximately \$445,000 per year to the Emily Keyes – John W. Buckner Organ and Tissue Donation Awareness Fund, collected by the DMV, housed in the State Treasury, and transferred to Donor Alliance, Inc., on a quarterly basis. Because the bill continues a fund set to expire on July 1, 2018, revenue to the fund that would otherwise curtail on the repeal date will continue in FY 2018-19 and each year thereafter. This revenue estimate is based on the average amount of money credited to the fund in FY 2015-16 and FY 2016-17. The fund is TABOR exempt.

## **State Expenditures**

In FY 2017-18, the bill increases state cash fund expenditures by \$33,750 in the DMV to reprogram the driver license database, while minimally reducing workload in the DMV. Beginning in FY 2018-19, the bill continues an estimated \$440,000 of expenditures per year in donations to the Emily Keyes – John W. Buckner Organ and Tissue Donation Awareness Fund.

***Department of Revenue — FY 2017-18.*** The DMV will have computer programming costs of \$33,750 in FY 2017-18 to update its driver license system (DRIVES), which represents 150 hours of computer programming at the contractor's rate of \$225 per hour. The computer programming will allow a division technician to view an applicant's organ donation status, which is not currently visible. The DMV will also update its workflow practice for and provide training to technicians related to the new practice of not asking the applicant whether or not he or she would like to be an organ donor upon renewal if the applicant is already an organ donor. This new practice will also create a minimal workload reduction in the DMV for which no change in appropriations is required.

***Department of Revenue — FY 2018-19.*** Beginning in FY 2018-19, the bill will increase state expenditures by approximately \$440,000 per year from the fund in the State Treasury to the Donor Alliance, Inc. This expenditure estimate is based on the average amount of money credited to the fund in FY 2015-16 and FY 2016-17. Because the bill continues a fund set to expire on July 1, 2018, expenditures from the fund would otherwise curtail on the repeal date. The workload reduction for DMV related to the organ donation questioning process will continue in this and future fiscal years, and no change in appropriations is required.

## **Effective Date**

The bill was signed into law by the Governor on June 5, 2017, and takes effect September 15, 2017, assuming no referendum petition is filed.

**State Appropriations**

Consistent with this fiscal note, the bill appropriates \$33,750 from the Emily Keyes – John W. Buckner Organ and Tissue Donation Awareness Fund to the Department of Revenue in FY 2017-18.

**State and Local Government Contacts**

County Clerks  
State Auditor

Information Technology  
Treasury

Revenue