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SB 19-075

**FINAL
FISCAL NOTE**

Drafting Number:	LLS 19-0182	Date:	September 13, 2019
Prime Sponsors:	Sen. Donovan Rep. Buentello	Bill Status:	Deemed Lost
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Bill Topic: DISPLAY ORIGINAL COLORADO CONSTITUTION IN CAPITOL

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill would have required the state archivist to develop and implement a plan for the permanent public display of the original Colorado Constitution in the state Capitol building. The bill would have increased state expenditures in FY 2019-20. Conditional upon plan approval, the bill would have also increased state revenue from gifts and grants, and state expenditures and workload on an ongoing basis beginning in FY 2020-21.

Appropriation Summary: For FY 2019-20, the bill would have required an appropriation of \$96,810 to the Department of Personnel and Administration.

Fiscal Note Status: The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

**Table 1
State Fiscal Impacts Under SB 19-075**

		FY 2019-20	FY 2020-21*
Revenue	Cash Funds	-	at least \$328,000
			at least \$328,000
Expenditures	General Fund	\$96,810	-
	Cash Funds	-	at least \$328,000
	Total	\$96,810	at least \$328,000
Transfers		-	-
TABOR Refund		-	-

* FY 2020-21 costs are conditional upon plan approval by the Capitol Building Advisory Committee and the Capital Development Committee.

Summary of Legislation

This bill requires the Colorado State Archives in the Department of Personnel and Administration (DPA) to develop and implement a plan to provide a permanent public display of the original Colorado Constitution in the State Capitol building by January 1, 2020. The plan must be approved by the Capitol Building Advisory Committee and the Capital Development Committee. The DPA must provide for the construction and maintenance of the display and remains the legal custodian responsible for protecting and preserving the constitution. The DPA may accept and spend gifts or grants in addition to any state appropriations for the display.

Background and Assumptions

The Colorado Constitution is a 40-page manuscript written on machine-made ledger paper and bound with a 12-page document that includes the minutes of the State Constitutional Convention. The Colorado State Archives in the DPA is the legal custodian of the document. The constitution is currently on loan through December 2022, and available for public viewing, at the History Colorado Center in Denver. The room in which the constitution is currently on display has temperature and climate controls, protective lighting, additional security, and requires museum archivists to periodically turn the pages to ensure the continued preservation of the document.

To assist in the continued preservation of the document, the constitution display case would require, at minimum, ultraviolet light protection, a temperature control system, and a humidity control system. The location of the display would also require special lighting. To ensure the safety of the constitution, the display requires a security lock and alarm, the installation of additional security cameras, and other potential security measures.

The precise costs to display the constitution are unknown until a plan has been developed by the DPA. The estimates included in the fiscal note are based in part on the costs to display the Ohio Constitution in their Capitol building.

State Revenue

Conditional upon plan approval, the bill is expected to increase state revenue from gifts and grants by at least \$328,000 by FY 2020-21. DPA requires authority to set up a new cash fund to receive these funds; see Technical Note. While no source of gifts or grants has been identified at the time of this writing, the amount received is expected to be adequate to cover installation costs. Gifts and grants are exempt from TABOR.

State Expenditures

This bill increases state General Fund expenditures in the Department of Personnel and Administration by \$96,810 in FY 2019-20. Conditional upon plan approval, it will increase state cash fund expenditures of gifts or grants by at least \$328,000 in FY 2020-21 and workload in the Department of Public Safety on an ongoing basis. These impacts are shown in Table 2 and discussed below.

**Table 2
Expenditures Under SB 19-075**

	FY 2019-20	FY 2020-21*
Department of Personnel and Administration		
Plan Research, Preparation, and Coordination	\$53,805	-
Preliminary Concept Design	\$43,005	-
Appraisal of Colorado Constitution	-	\$5,000
Project Design	-	\$20,000 to \$60,700
Engineering of and Fabrication of Display	-	\$223,200 to \$323,200
Display Installation	-	\$38,000 to \$57,500
Ancillary Display Needs	-	\$13,750 to \$37,000
Display Maintenance	-	\$28,120 to \$44,140
Total Cost	\$96,810	\$328,000 to \$518,000

* FY 2020-21 costs are conditional upon plan approval by the Capitol Building Advisory Committee and the Capital Development Committee.

Department of Personnel and Administration. To establish a plan for the permanent display of the constitution, the DPA requires \$96,810 in FY 2019-20. The DPA will hire a conservator consultant and a project engineer to determine an optimal display environment for the constitution.

Conditional upon plan approval, costs to display the constitution are expected to range from \$328,000 to \$518,000; it is assumed these bill be paid with gifts or grants. If the DPA receives approval from the Capitol Building Advisory Committee and the Capital Development Committee to move forward with implementation of the display and gifts or grants have not been realized, the costs of the display project will be addressed through the annual budget process. The high-end of the cost estimate range represents the preliminary cost to install the Ohio Constitution Exhibit. Engineering and fabrication of the display case will be the largest cost component and is estimated to cost between \$223,200 and \$323,200. Other costs are for design, installation, and maintenance.

Department of Public Safety. The Colorado State Patrol in the Department of Public Safety manages state Capitol security and will be required to include security of the constitution as part of its workload and training. The fiscal note assumes that this workload will be handled by existing security detail at the Capitol and therefore no change in appropriations is required for this agency.

Technical Note

The DPA will require a cash fund to be set up to receive and expend funding related to the project.

Effective Date

The bill is deemed lost since the Senate laid the bill over until July 1, 2019, during second reading on April 24, 2019.

State Appropriations

This bill requires a General Fund appropriation of \$96,810 to the Department of Personnel and Administration for FY 2019-20.

State and Local Government Contacts

Legislative Council

Personnel and Administration

Public Safety