



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

SB 19-096

REVISED FISCAL NOTE

(replaces fiscal note dated March 7, 2019)

Drafting Number: LLS 19-0429
Prime Sponsors: Sen. Donovan, Rep. Hansen

Date: April 27, 2019
Bill Status: Senate Appropriations
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Bill Topic: COLLECT LONG-TERM CLIMATE CHANGE DATA

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill requires the Air Quality Control Commission to promulgate rules requiring greenhouse gas-emitting entities to monitor and publicly report their emissions. The Air Quality Control Division is required to update the statewide inventory of greenhouse gas emissions by sector, no less than every two years and forecast Colorado's greenhouse gas emissions for 2025. The bill will increase state expenditures on an ongoing basis.

Appropriation Summary: For FY 2019-20, the bill requires an appropriation of \$265,589 to the Department of Public Health and Environment.

Fiscal Note Status: The revised fiscal note reflects the reengrossed bill as amended by the House SVMA Committee.

Table 1
State Fiscal Impacts Under SB 19-096

Table with 4 columns: Category, FY 2019-20, FY 2020-21. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total), Total FTE, Transfers, and TABOR Refund.

## **Summary of Legislation**

This bill requires the Air Quality Control Commission in the Colorado Department of Public Health and Environment (CDPHE) to promulgate rules by June 1, 2020, requiring greenhouse gas-emitting entities to monitor and publicly report their emissions. The rules must also direct the Air Quality Control Division in CDPHE to update the statewide inventory of greenhouse gas emissions by sector, no less than every two years. The inventory must include a forecast of Colorado's greenhouse gas emissions for 2025, and every five years through 2045, and a recalculation of Colorado's 2005 greenhouse gas emissions to serve as a baseline for measuring progress against greenhouse gas emission reduction goals. By July 1, 2020, the board is required to publish a notice of proposed rule-making that proposes rules to implement measures that will cost-effectively allow the state to meet its greenhouse gas emission reduction goals. The division is required to publicly release the inventory on its website and maintain the data at least through 2030.

## **Background**

The CDPHE uses the Environmental Protection Agency's (EPA's) Electronic Greenhouse Gas Reporting Tool (e-GGRT) and EPA's State Inventory and Projection Tool (SIT) to create greenhouse gas inventory reports. Executive Order D 004-08, issued by Governor Ritter, required the CDPHE to report greenhouse gas emissions by sector every five years. The CDPHE is currently updating Colorado's greenhouse gas emission inventory to be released in Spring 2019. This inventory assesses greenhouse gas emissions from electric power generation, transportation, residential/commercial/industrial fuel use, natural gas and oil systems, agriculture, coal mining, abandoned mines, industrial processes, and waste management activities.

## **State Expenditures**

The bill will increase state General Fund expenditures by \$340,710 and 3.1 FTE in FY 2019-20 and \$352,143 and 3.4 FTE in FY 2020-21. The bill will also increase workload in the Department of Natural Resources, the Public Utilities Commission, and the Colorado Energy Office, to collaborate on the implementation of the bill. The workload increase for these agencies is not expected to require additional appropriations.

The costs for the CDPHE are shown in Table 2 and explained below. Personal services expenditures are prorated in FY 2019-20 to reflect General Fund paydate shift.

**Table 2  
 Expenditures Under SB 19-096**

	<b>FY 2019-20</b>	<b>FY 2020-21</b>
<b>Department of Public Health and Environment</b>		
Personal Services	\$248,250	\$268,608
Operating Expenses and Capital Outlay	\$17,339	\$3,230
Centrally Appropriated Costs*	\$75,121	\$80,305
FTE – Personal Services	3.1 FTE	3.4 FTE
<b>Total Cost</b>	<b>\$340,710</b>	<b>\$352,143</b>
<b>Total FTE</b>	<b>3.1 FTE</b>	<b>3.4 FTE</b>

\* Centrally appropriated costs are not included in the bill's appropriation.

**Rule promulgation.** The CDPHE will promulgate rules for emissions reporting in FY 2019-20 and cost-effectively meeting emission reduction goals in FY 2020-21. The CDPHE will have an increase in staffing beginning in FY 2019-20 to work with stakeholders including state, local, and federal government agencies and non-governmental agencies, and draft rules. Legal support from the Department of Law will be provided within the CDPHE legal services budget.

**Reporting, data collection and analysis.** The CDPHE will require additional staff to collect and analyze additional greenhouse gas emissions data, develop the annual greenhouse gas emissions inventory, and update the 2005 baseline. Staff will also research tools to track greenhouse gas emissions data for all sectors and will go through the procurement process to purchase a tracking system after FY 2021-22.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance, supplemental employee retirement payments, and leased space, are estimated to be \$75,121 in FY 2019-20 and \$80,305 in FY 2020-21.

**Effective Date**

The bill takes effect upon signature of the Governor, or becoming law without his signature.

**State Appropriations**

For FY 2019-20, the bill requires a General Fund appropriation of \$265,589 to the Department of Public Health and Environment and an allocation of 3.1 FTE.

**State and Local Government Contacts**

Information Technology      Public Health and Environment