



Legislative
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Nonpartisan Services for Colorado's Legislature

SB 19-104

**REVISED
FISCAL NOTE**

(replaces fiscal note dated February 5, 2019)

Drafting Number: LLS 19-0701
Prime Sponsors: Sen. Holbert
Rep. Baisley

Date: April 5, 2019
Bill Status: Senate Appropriations
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Bill Topic: ELIMINATION OF DUPLICATE REGULATION OF SCHOOL BUILDING

Summary of Fiscal Impact:

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

The bill creates a commission to identify and address duplicate regulations promulgated by state agencies related to school-based childcare programs. The bill increases state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill, as amended by the Senate SVMA Committee.

Summary of Legislation

The bill creates the elimination of duplicate regulations commission to examine duplicate rules related to licensed childcare programs that operate on the property of a school district or charter school. The commission consists of representatives from the Colorado Department of Education (CDE), Department of Human Services (CDHS), and Department of Public Health and Environment (CDPHE), and at least three program practioners.

The commission must identify duplicate regulations promulgated by CDE, CDPHE, and CDHS related to health and safety requirements and identify rules that may be eliminated or revised. The commission must consider public testimony, evidence-based research regarding health and safety of children, and aligning the rules with requirements for federal funding.

By June 30, 2020, CDE, CDPHE, and CDHS must begin rulemaking, based on commission outcomes. The bill is repealed July 1, 2021.

State Expenditures

In FY 2019-20 and FY 2020-21, the bill increases workload for CDE, CDPHE, and CDHS. The three agencies must participate in the commission, discuss and identify duplicate regulations, and identify necessary rulemaking changes in FY 2019-20. By FY 2020-21, the three agencies must begin any necessary rulemaking. It is unknown how many rules may need to be modified, and the complexity of those changes. CDE and CDPHE each have one set of rules that may need to be

adjusted, and CDHS has up to 3 sets of rules that may need to be modified. As a result, the fiscal note assumes that the initial changes and associated workload can be accomplished within current appropriations. Should the rule changes identified by the commission be more complex than expected, all three agencies may incur additional rulemaking costs, and CDHS may incur IT costs to modify childcare licensing software based on the changes. Should additional resources be required in subsequent years, agencies will request them through the budget process. In addition, the fiscal note assumes that three practitioners will serve on the commission on a voluntary basis. No change in appropriations is required.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Counties
Information Technology

Education
Municipalities

Human Services
Public Health and Environment