



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FINAL FISCAL NOTE

Drafting Number: LLS 20-0172
Prime Sponsors: Rep. Tipper, Sen. Gonzales

Date: August 19, 2020
Bill Status: Postponed Indefinitely
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Bill Topic: TRANSPARENCY OF TELECOM PROVIDERS CORRECTIONAL FACILITIES

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

The bill would have required providers of telecommunication services in jails to maintain and report certain data to the Public Utilities Commission, and granted the commission authority over these service providers. It would have increased state expenditures on an ongoing basis beginning in FY 2020-21.

Appropriation Summary: For FY 2020-21, the bill would have required an appropriation of \$13,347 to the Department of Regulatory Agencies.

Fiscal Note Status: The fiscal note reflects the reengrossed 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 HB 20-1267

Table with 3 columns: Category, FY 2020-21, FY 2021-22. Rows include Revenue, Expenditures (Cash Funds, Centrally Appropriated, Total), Total FTE, Transfers, and TABOR Refund.

## Summary of Legislation

The bill requires penal telecommunications service providers that provide services to local jails to maintain and report on service-related data and records to the Public Utilities Commission (PUC) on a quarterly basis (unless the information is unchanged), including:

- a copy of the existing contract between the provider and the government entity;
- the total number of calls, and total minutes for calls, made from the jail;
- all revenue collected by the provider for the provision of services;
- all commissions paid to the jail or any other government entity by the provider;
- a copy of the provider's unclaimed funds policy; and
- detailed rates and fees charged by the provider to persons in custody.

The PUC must publish the information on its website in publicly accessible way within 30 days after receipt. In addition, the bill gives the PUC authority over telecommunication services provided to jails.

## State Expenditures

Expenditures from the Telecommunications Utilities Cash Fund will increase by \$17,813 and 0.2 FTE in FY 2020-21 and \$8,906 and 0.1 FTE in FY 2021-22 and ongoing. These expenditures are shown in Table 2 and discussed below.

**Table 2**  
**Expenditures Under HB 20-1267**

	<b>FY 2020-21</b>	<b>FY 2021-22</b>
<b>Department of Regulatory Agencies</b>		
Personal Services	\$13,347	\$6,673
Centrally Appropriated Costs*	\$4,466	\$2,233
<b>Total Cost</b>	<b>\$17,813</b>	<b>\$8,906</b>
<b>Total FTE</b>	<b>0.2 FTE</b>	<b>0.1 FTE</b>

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

**Department of Regulatory Agencies.** The PUC will promulgate rules related to verification of the accuracy of the information provided by telecommunications services providers and related audit and enforcement activities under the PUC's new oversight authority, which will require 0.1 FTE Rate and Financial Analyst in FY 2020-21. In addition, beginning in FY 2020-21 and ongoing, the PUC requires 0.1 FTE Rate and Financial Analyst to review provider submissions and oversee any potential compliance and enforcement issues. This assumes that there are over 40 jails in the state and that data review will require approximately 30 minutes per submission.

**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 and supplemental employee retirement payments, are estimated to be \$4,466 in FY 2020-21 and \$2,233 in FY 2021-22.

**Effective Date**

The bill was postponed indefinitely by the Senate Judiciary Committee on May 26, 2020.

**State Appropriations**

For FY 2020-21, the bill requires a cash fund appropriation from the Telecommunications Utilities Fund of \$13,347 and 0.2 FTE to the Department of Regulatory Agencies.

**State and Local Government Contacts**

Corrections  
Law

Counties  
Regulatory Agencies

Information Technology  
Sheriffs