



Legislative
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HB 20-1272

FINAL FISCAL NOTE

Drafting Number: LLS 20-0588
Prime Sponsors: Rep. Humphrey

Date: August 19, 2020
Bill Status: Postponed Indefinitely
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Bill Topic: **COLORADO NATURAL MARRIAGE AND ADOPTION ACT**

Summary of Fiscal Impact:

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

This bill would have specified that a marriage license may only be issued to, and children may only be adopted by, couples consisting of one man and one woman. The bill would have decreased state and local revenue and will increase state and local expenditures on an ongoing basis.

Appropriation Summary: No appropriation was required.

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

Summary of Legislation

This bill specifies, notwithstanding any judicial decisions to the contrary, that a marriage license may only be issued to, and children may only be adopted by, couples consisting of one man and one woman.

State Revenue

Starting in FY 2020-21, to the extent there are fewer marriage licenses issued, state cash fund revenue will decrease. For informational purposes, a marriage license has a \$30 fee, of which \$23 is revenue to the state (\$20 to the Domestic Abuse Program Fund and \$3 to the Vital Statistics Records Cash Fund) and \$7 is retained by counties. The fiscal note assumes any decrease in marriage licenses to be minimal.

State Expenditures

Starting in FY 2020-21, this bill will increase state expenditures in multiple state departments as described below.

Agencies involved in child welfare. To the extent that children remain longer in the child welfare system due to reducing the number of adoptive placement options, workload and costs in the DHS, the Judicial Department, and Office of the Child's Representative (OCR) will increase. First, costs in the DHS will increase to find alternative placement options for children. Second, to the extent there are challenges to any adoption decisions, workload to the trial courts will increase. Third, costs in the OCR will increase to have a guardian ad litem assigned to a child for longer periods of time. The fiscal note assumes that any increase in expenditures will be addressed through the annual budget process, if needed.

Department of Law. This bill will increase workload in the Attorney General's office in the Department of Law to represent the state in any litigation, as well as to assist with any necessary review of current state policies to avoid potential legal action. Any change in appropriations will be addressed through the annual budget process, if needed.

Colorado Department of Public Health and Environment. Starting in FY 2020-21, to the extent there are fewer marriage licenses filed, workload will decrease in the Department of Public Health and Environment. The fiscal note assumes that any change in workload will be minimal and does not require a change in appropriations.

TABOR refunds. Under the June 2020 LCS Economic and Revenue Forecast, the state is not expected to collect revenue above the TABOR limit in either FY 2020-21 or FY 2021-22, and refund obligations are not anticipated for these years. This bill does not change these expectations concerning refunds to taxpayers.

Local Government

Similar to the state, workload and costs to county departments of human services will increase to the extent children remain in the child welfare system longer. In addition, to the extent there are fewer marriage licenses, revenue to and workload in county clerk offices will decrease.

Effective Date

This bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on February 13, 2020.

State and Local Government Contacts

Child Welfare
County Clerks
Information Technology
Public Health And Environment

Counties
Human Services
Law