



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SB 20-125

FINAL FISCAL NOTE

Drafting Number: LLS 20-0048
Prime Sponsors: Sen. Ginal; Zenzinger
Rep. Froelich; Duran

Date: August 5, 2020
Bill Status: Postponed Indefinitely
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Bill Topic: **PROHIBIT EXOTIC ANIMALS IN TRAVELING PERFORMANCES**

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 prohibited the use of exotic animals in traveling animal acts and creates a misdemeanor. It would have reduced state revenue and workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

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 20-125**

		FY 2020-21	FY 2021-22
Revenue	Cash Funds	-	(\$1,500)
Expenditures		-	-
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

This bill prohibits the use of exotic animals in traveling animal acts. A violation is an unclassified misdemeanor subject to a fine of between \$250 and \$1,000 per violation.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of criminal conviction for those offenses.

Prior conviction data and assumptions. This bill creates the new offense of causing a performance of, or allowing for the participation of, an exotic animal in a traveling animal act, an unclassified misdemeanor. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of transporting exotic wildlife without a license as a comparable crime. From 2017 to 2019, one offender was fined for this existing offense, but it is unknown whether an exotic animal was involved. Therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice-related expenditures or revenue at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue

This bill will reduce revenue to the Wildlife Cash Fund by an estimated \$1,500 per year from licenses issued to traveling exhibitions beginning in FY 2021-22. This represents 10 licenses per year issued by Colorado Parks and Wildlife (CPW). Revenue from violations will also be deposited into the Wildlife Cash Fund, but few if any penalties are expected. Because the CPW is an enterprise, this revenue is not subject to TABOR.

State Expenditures

This bill will have a workload impact on CPW and the Judicial Department as explained below.

Colorado Parks and Wildlife. Beginning in FY 2021-22, this bill will decrease workload for the CPW to process applications for non-resident temporary exhibitors license applications. Because only 10 licenses are issued annually, this workload decrease will not require a change in appropriations.

Judicial Department. The department will update its case management system to reflect the new misdemeanor; these updates are minimal and can be accomplished within existing appropriations.

Effective Date

The bill was postponed indefinitely by the House Energy and Environment Committee on May 28, 2020.

State and Local Government Contacts

Higher Education
Judicial

Information Technology
Natural Resources