



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SB 20-166

REVISED FISCAL NOTE

(replaces fiscal note dated February 20, 2020)

Drafting Number: LLS 20-1049
Prime Sponsors: Sen. Moreno
Rep. Esgar

Date: March 11, 2020
Bill Status: House Public Health
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Bill Topic: **SIMPLIFYING REQUIREMENTS FOR NEW BIRTH CERTIFICATE**

**Summary of
Fiscal Impact:**

- | | |
|---|--|
| <input checked="" type="checkbox"/> State Revenue | <input checked="" 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 |

The bill eliminates certain requirements for a minor to obtain new identification documents to reflect a change in gender designation. The bill may increase state revenue and workload beginning in FY 2020-21.

**Appropriation
Summary:** No appropriation is required.

**Fiscal Note
Status:** This revised fiscal note reflects the reengrossed bill.

Summary of Legislation

Under current law, for a person under the age of 18 to obtain new identification documents, including a birth certificate, driver's license, identification card, or instruction permit, that reflects a change in gender designation, the state department must receive a request and statement from the minor's parents, guardian, or legal representative. Additionally, the state department must receive a statement from a professional medical or mental health care provider that either the minor has undergone treatment for gender transition or the person has an intersex condition, and that in the provider's professional opinion, the minor's gender designation should be changed accordingly.

Under the bill, for a person under the age of 18 to obtain a new birth certificate, the Department of Public Health and Environment (CDPHE) must receive:

- a written request from the minor's parent, legal guardian, or legal representative to issue a new birth certificate with a gender designation that differs from the sex designated on the minor's original birth certificate; and
- a statement from a professional medical or mental health care provider stating that the sex designation on the original birth certificate does not align with the minor's gender identity.

Additionally, for an individual under the age of 18 to receive new identification documents from the Department of Revenue (DOR), including a driver's license, identification card, or instruction permit, the DOR must receive either a new birth certificate or the documentation cited above.

State Revenue and Expenditures

The bill may minimally increase state revenue and workload beginning in FY 2020-21 resulting from additional identification document requests to the CDPHE and DOR.

The state registrar, within the CDPHE, charges a fee of \$20 to issue or amend a birth certificate, and a fee of \$13 for additional copies ordered at the same time. For the various identification documents offered by DOR that are subject to the bill, the fee ranges from \$11.50 to \$33.00 to issue a new copy. To the extent that the bill results in additional identification document requests, revenue will increase to the Vital Records Cash Fund in the CDPHE and the License Services Cash Fund in the DOR. The bill also minimally increases workload in the CDPHE and DOR to update procedures and process additional identification document requests.

Tabor refund. Any increased revenue will be subject to TABOR, and increase the state's TABOR refund obligation by the same amount in FY 2020-21 and FY 2021-22.

Effective Date

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

State and Local Government Contacts

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| Counties | County Clerks | Information Technology |
| Judicial | Public Health And Environment | Revenue |