



Legislative Council Staff

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Final Fiscal Note

Drafting Number: LLS 22-0244 Date: August 29, 2022
Prime Sponsors: Sen. Ginal; Simpson Bill Status: Signed into Law
Rep. Mullica; McKean Fiscal Analyst: Annie Scott | 303-866-5851
Annie.Scott@state.co.us

Bill Topic: CREATE COLORADO RARE DISEASE ADVISORY COUNCIL

- Summary of Fiscal Impact:
[X] State Revenue [] TABOR Refund
[X] State Expenditures [] Local Government
[] State Transfer [] Statutory Public Entity

The bill creates the Colorado Rare Disease Advisory Council in the Department of Public Health and Environment to study and make recommendations concerning the needs of individuals with rare diseases. The bill increase state expenditures and may increase revenue beginning in FY 2022-23.

Appropriation Summary: For FY 2022-23, the bill requires and includes an appropriation of \$80,567 to the Department of Public Health and Environment.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under SB 22-186

Table with 4 columns: Category, Sub-category, Budget Year FY 2022-23, and Out Year FY 2023-24. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total Expenditures, Total FTE), Transfers, and Other Budget Impacts (General Fund Reserve).

Summary of Legislation

The bill creates the Rare Disease Advisory Council (council) in the Department of Public Health and Environment (CDPHE) to study and make recommendations concerning the needs of individuals with rare diseases. The council consists of 12 voting members, as specified in the bill. The Director of the Office of Health Equity or their designee serves as an ex officio nonvoting member. Initial appointments will be made by October 1, 2022.

The council must:

- engage in activities including collecting input from stakeholders, research, education, reporting, and making recommendations;
- contract with a nonprofit entity as a facilitator, unless the council determines a facilitator is unnecessary;
- meet with a certain frequency and comply with open meetings laws; and
- report to the Governor and the legislature annually, and make the report public.

The bill allows the CDPHE to host the council's web presence, and support and act as its fiscal agent. The council and the CDPHE are authorized to seek, accept, and expend gifts, grants, and donations to for the council, and the General Assembly may appropriate money from the General Fund to support the activities of the council and the facilitator. Gifts, grants, and donations are to be deposited into an insured account at a Colorado Financial institution. The members of the council serve without compensation or reimbursement for expenses. A council member may be reimbursed for actual and necessary expenses if the council receives gifts, grants, or donations to cover the costs of reimbursement.

The council is repealed on September 1, 2032, following a sunset review.

State Revenue

The bill potentially increases state revenue from gifts, grants, or donations; however, no sources have been identified at this time. Gifts, grants, and donations are exempt from TABOR revenue limits.

State Expenditures

The bill increases state expenditures in the CDPHE by \$88,622 in FY 2022-23 and \$97,467 in FY 2023-24 from the General Fund. Expenditures are shown in Table 2 and detailed below.

**Table 2
Expenditures Under SB 22-186**

	FY 2022-23	FY 2023-24
Department of Public Health and Environment		
Personal Services	\$23,692	\$35,538
Operating Expenses	\$675	\$810
Capital Outlay Costs	\$6,200	-
Council Facilitator	\$50,000	\$50,000
Centrally Appropriated Costs ¹	\$8,055	\$11,119
Total Cost	\$88,622	\$97,467
Total FTE	0.4 FTE	0.6 FTE

¹ Centrally appropriated costs are not included in the bill's appropriation.

Department of Public Health and Environment. Beginning in FY 2022-23, the CDPHE requires 0.6 FTE to contract and oversee the facilitator, provide research and administrative support to the council, and act as a liaison between the facilitator, the council, and the CDPHE. Costs are adjusted in the first year to assume an October 1 start date and account for the General Fund pay date shift. The facilitator will be contracted for approximately 330 hours at \$150 per hour to provide meeting support, and assist the council with conducting meetings, research, outreach, financial management, reporting, and other tasks. It is assumed that gifts, grants and donations generated under the bill will be minimal and that General Fund will be required to support these activities.

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 shown in Table 2.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, which will decrease the amount of General Fund available for other purposes.

Effective Date

The bill was signed into law by the Governor on June 8, 2022, and took effect on August 9, 2022.

State Appropriations

For FY 2022-23, the bill requires and includes an appropriation of \$80,567 from the General Fund to the Department of Public Health and Environment, and 0.4 FTE.

State and Local Government Contacts

Health Care Policy and Financing
Law

Information Technology
Public Health and Environment