Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 23-0945	**Date:**	August 29, 2023
Prime Sponsors:	Rep. Garcia; Lindsay	**Bill Status:**	Signed into Law
	Sen. Gonzales	**Fiscal Analyst:**	Clayton Mayfield | 303-866-5851
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Bill Topic:	**CREATION OF URGENT INCIDENT RESPONSE FUND**

Summary of Fiscal Impact:	☒ State Revenue	☐ TABOR Refund
	☒ State Expenditure	☒ Local Government
	☒ State Transfer	☐ Statutory Public Entity
	The bill creates the Urgent Incident Response Cash Fund in the Department of Public Safety. Starting in FY 2023-24, the bill increases state and local revenue and expenditures on an ongoing basis.	

Appropriation Summary:	The bill includes an appropriation of $1.0 million to the Department of Public Safety.
Fiscal Note Status:	The fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under HB 23-1270

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue		-	-
Expenditures[1]	Cash Funds	up to $1.0 million	-
	Total Expenditures	**up to $1.0 million**	**-**
Transfers	General Fund	($1.0 million)	-
	Cash Funds	$1.0 million	
	Net Transfers	**$0**	
Other Budget Impacts	General Fund Reserve	$150,000	

[1]*Subject to annual appropriations, transferred funds may be spent over multiple fiscal years.*

HB 23-1270

Summary of Legislation

The bill creates the Urgent Incident Response Cash Fund for use by the Division of Homeland Security and Emergency Management in the Department of Public Safety (DPS). The fund consists of any state appropriations or transfers, and any gifts, grants, or donations received by the DPS. The DPS may make expenditures from the fund for reimbursing state agencies and local governments for the costs of responding to urgent incidents that do not rise to the level of statutorily defined disasters or emergencies. The DPS cannot reimburse state agencies or local governments for response costs for disasters or emergencies, or for disaster emergencies declared by the Governor.

Finally, the bill requires the department to promulgate rules to establish a process for local governments and state agencies to receive reimbursements, and must publish certain data about reimbursements online.

State Revenue

The bill potentially increases state revenue to the Urgent Incident Response Cash Fund 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 Transfers

For FY 2023-24, the bill transfers $1,000,000 from the General Fund to the Urgent Incident Response Cash Fund. This transfer is made via an appropriation.

State Expenditures

Based on the transfer above, expenditures from the Urgent Incident Response Cash Fund in the DPS will increase by up to $1 million in FY 2023-24. Expenditures are for reimbursing state agencies and local governments for urgent incidents. Subject to annual appropriation, these disbursements may occur over multiple fiscal years until available funding is exhausted or additional funding is appropriated or transferred to the fund by the General Assembly.

Additionally, the bill minimally increases workload in the DPS to promulgate rules and publish reimbursement data online. No change in appropriations is required.

Local Government

The bill increases local government revenue and expenditures to the extent urgent incidents occur and reimbursements are provided.

State Appropriations

For FY 2023-24, the bill includes an appropriation of $1,000,000 from the General Fund to the Urgent Incident Response Cash Fund in the Department of Public Safety, and appropriates $1,000,000 from the Urgent Incident Response Cash Fund to the Department of Public Safety.

Effective Date

This bill was signed into law by the Governor and took effect on June 1, 2023.

State and Local Government Contacts

Counties   Public Safety