



**Colorado
Legislative
Council
Staff**

HB16-1366

**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-1108
Prime Sponsor(s): Rep. Primavera
Sen. Steadman

Date: June 2, 2016
Bill Status: Postponed Indefinitely
Fiscal Analyst: Erin Reynolds (303-866-4146)

BILL TOPIC: HEARING AID USERS ENHANCED PROTECTIONS

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue	<u><\$5,000</u>	<u><\$5,000</u>
General Fund	<5,000	<5,000
State Expenditures	Minimal workload increase.	
TABOR Impact		<\$5,000
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal workload increase.		

Note: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill requires the director of the Division of Professions and Occupations (DPO) in the Department of Regulatory Agencies (DORA) to adopt rules to require licensed hearing aid providers and audiologists to make disclosures related to hearing aid pricing and other communication options. The bill also makes violating these rules a deceptive trade practice for which the Attorney General and district attorneys may seek civil penalties for a violation.

State Revenue

To the extent that the Attorney General or district attorneys pursue actions related to the deceptive trade practice, fine revenue to the General Fund may increase beginning in FY 2016-17. Fines may be assessed up to \$2,000 per violation. Additional fines may be levied for violations of a court order or injunction related to the deceptive trade practice. The fiscal note generally assumes a high level of professional compliance, so any fine revenue is estimated to be less than \$5,000 per year.

TABOR Impact

This bill increases state revenue from fines, which will increase the amount of money required to be refunded under TABOR. TABOR refunds are paid out of the General Fund. No TABOR refund is expected in FY 2016-17.

State Expenditures

Beginning in FY 2016-17, this bill is expected to minimally increase workload in the Department of Regulatory Agencies, the Judicial Department, and the Department of Law, as discussed below. These workload increases can be accomplished within existing appropriations.

Department of Regulatory Agencies. The DPO director must conduct rulemaking and outreach for two separate licensing programs — hearing aid providers and audiologists — related to the requirement that these professions make pricing and hearing aid alternative disclosures. While a new cause for complaints is created, additional complaints are expected to be minimal.

Judicial Department. Workload in the Judicial Department may minimally increase to hear civil cases under the bill. Because the fiscal note assumes a high level of professional compliance with the law, additional cases are expected to be minimal.

Department of Law. Workload in the Attorney General's office will minimally increase to the extent that deceptive trade practice complaints are filed. The office will review complaints under the bill and prioritize investigations as necessary within the overall number of deceptive trade practice complaints and available resources.

Effective Date

The bill was postponed indefinitely by the Senate Business, Labor, and Technology Committee on May 4, 2016.

State and Local Government Contacts

Information Technology

Judicial

Law

Regulatory Agencies