



**Colorado
Legislative
Council
Staff**

HB17-1027

**REVISED
FISCAL NOTE**

(replaces fiscal note dated January 20, 2017)

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

Drafting Number: LLS 17-0257 **Date:** February 6, 2017
Prime Sponsor(s): Rep. Becker J.; Buckner **Bill Status:** House Appropriations
 Sen. Gardner; Garcia **Fiscal Analyst:** Erin Reynolds (303-866-4146)

BILL TOPIC: REMOVE FUND REPEAL & CLARIFY ORGAN DONOR PROCESS

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019	
This bill changes and continues a program that would otherwise end July 1, 2018, so the fiscal note shows the new and continuing fiscal impacts.	New	New	Continuation
State Revenue		\$445,000	
Cash Funds			\$445,000
State Expenditures	\$33,750	\$440,000	
Cash Funds	33,750	Minimal workload reduction.	\$440,000
Appropriation Required: \$33,750 – Department of Revenue (FY 2017-18).			
Future Year Impacts: Ongoing state revenue and expenditure increase and workload reduction.			

Summary of Legislation

The bill removes the July 1, 2018, repeal date for the Emily Maureen Ellen Keyes Organ and Tissue Donation Awareness Fund, continuing it indefinitely. It clarifies that an applicant's self-designation as an organ and tissue donor on a driver license, identification card, or instruction permit remains in effect until revoked by the applicant, codifying that organ donation is an advance directive and a lifetime designation. Computer reprogramming costs for the Division of Motor Vehicles (DMV) may be paid to the Department of Revenue (DOR) from the Emily Maureen Ellen Keyes Organ and Tissue Donation Awareness Fund. Finally, the bill requires the Donor Alliance, Inc. to submit an annual report to the DOR that details the amounts and specific uses of all funds it receives by October 1 of each year, which the DOR must include as part of its SMART Government Act hearing.

Background

During the Colorado driver license, identification card, or instruction permit application and renewal process, an applicant may concurrently become registered as an organ and tissue donor. The DMV currently confirms an individual's organ donation status each time a document is issued or renewed. Applicants are also asked if they would like to make a voluntary donation to the Emily

Maureen Ellen Keyes Organ and Tissue Donation Awareness Fund, which is used to fund public education surrounding organ and tissue donation. The fund is TABOR exempt. The state treasurer makes a quarterly deposit of this fund's revenue to the Donor Alliance, Inc. Organ donors can update their donation at any time at Donate Life Colorado's website.

State Revenue

Beginning in FY 2018-19 and each year thereafter, the bill will increase state cash fund revenue by approximately \$445,000 per year to the Emily Maureen Ellen Keyes Organ and Tissue Donation Awareness Fund, collected by the DMV in DOR, housed in the State Treasury, and transferred to Donor Alliance, Inc. on a quarterly basis. Because the bill continues a fund set to expire on July 1, 2018, revenue to the fund that would otherwise curtail on the repeal date will continue in FY 2018-19 and each year thereafter. This revenue estimate is based on the average amount of money credited to the fund in FY 2015-16 and FY 2016-17. The fund is TABOR exempt.

State Expenditures

In FY 2017-18, the bill increases state cash fund expenditures by \$33,750 in the DMV in DOR to reprogram the driver license database, while minimally reducing workload in the DMV. Beginning in FY 2018-19, the bill continues an estimated \$440,000 of expenditures per year in donations to the Emily Maureen Ellen Keyes Organ and Tissue Donation Awareness Fund.

Department of Revenue — FY 2017-18. The DMV will have computer programming costs of \$33,750 in FY 2017-18 to update its driver license system (DRIVES), using an estimate of 150 hours at \$225 per hour, which is the contract programming rate for FAST Enterprises. The computer programming would allow a division technician to view an applicant's organ donation status, which cannot currently be seen by a technician. The DMV will also update its workflow practice for and provide training to technicians related to the new practice of not asking the applicant whether or not he or she would like to be an organ donor upon renewal if the applicant is already an organ donor. This new practice will also create a minimal workload reduction for which no change in appropriations is required.

Department of Revenue — FY 2018-19. Beginning in FY 2018-19, the bill will increase state expenditures by approximately \$440,000 per year from the Emily Maureen Ellen Keyes Organ and Tissue Donation Awareness Fund in the State Treasury to the Donor Alliance, Inc. This expenditure estimate is based on the average amount of money credited to the fund in FY 2015-16 and FY 2016-17. Because the bill continues a fund set to expire on July 1, 2018, expenditures from the fund would otherwise curtail on the repeal date. The workload reduction for DMV related to the organ donation questioning process will continue in this and future fiscal years, and no change in appropriations is required.

Effective Date

The bill takes effect September 15, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

State Appropriations

For FY 2017-18, the bill requires a cash fund appropriation from the Emily Maureen Ellen Keyes Organ and Tissue Donation Awareness Fund of \$33,750 to the Department of Revenue.

State and Local Government Contacts

County Clerks
State Auditor

Information Technology
Treasury

Revenue