



**Colorado  
Legislative  
Council  
Staff**

**HB17-1359**

**FINAL  
FISCAL NOTE**

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

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**Drafting Number:** LLS 17-1165  
**Prime Sponsor(s):** Rep. Young  
Sen. Gardner

**Date:** August 24, 2017  
**Bill Status:** Signed into Law  
**Fiscal Analyst:** Josh Abram (303-866-3561)

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**BILL TOPIC:** CDE POSITIONS EXEMPT FROM STATE PERSONNEL SYSTEM

**Summary of Legislation**

Under current law, the State Board of Education (SBE) has discretion to exempt employee positions in the Colorado Department of Education from the state personnel system if those positions are determined by the board to be director, consultant, supervisor, or instructor positions that are educational in nature (exempt positions). This bill authorizes either the board or their designee to make these determinations. Any employee whose position has been determined to be exempt on or before September 1, 2017, remains exempt from the state personnel system so long as the employee continues to hold that position.

The SBE or its designee is required to determine which positions in the department meet the criteria to be exempt from the state personnel system; except that the board may not determine that a position is exempt while it is held by a classified employee. On or before December 31 of each year, the Commissioner of Education is required to submit a report to the Department of Personnel and Administration listing all positions in the department that are designated as exempt from the state personnel system.

**Assessment**

The bill does not change the revenue or expenditures of any state agency. The bill merely requires that the department classify employees under the state personnel system unless the position meets a statutory definition for being a non-classified position. The bill does not change the classified status for any existing employee, and no change in personal service costs are anticipated in the next two fiscal years. For these reasons, the bill is assessed as having no fiscal impact.

**Effective Date**

The bill was signed into law by the Governor and took effect on June 2, 2017.

**State and Local Government Contacts**

Education      Personnel

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