



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 18-1256

**FINAL
FISCAL NOTE**

Drafting Number: LLS 18-0382
Prime Sponsors: Rep. Duran; Herod
 Sen. Gardner
Date: September 18, 2018
Bill Status: Signed into Law
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Bill Topic: SUNSET CONTINUE CIVIL RIGHTS DIVISION AND COMMISSION

Summary of Fiscal Impact:

- State Revenue
- State Expenditure (*continuation, workload*)
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

Sunset bill. This bill continues the state's Civil Rights Division and Civil Rights Commission in the Department of Regulatory Agencies, which are scheduled to repeal on July 1, 2018. State fiscal impacts under the bill include the continuation of the program's current expenditures and a minimal ongoing state workload increase. The program is continued through September 1, 2027.

Appropriation Summary: No appropriation is required. See State Appropriations section.

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

**Table 1
State Fiscal Impacts Under HB-1256***

New Impacts*		FY 2018-19	FY 2019-20
<i>Revenue</i>		-	-
<i>Expenditures</i>		-	-
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Continuing Program Impacts*		FY 2018-19	FY 2019-20
<i>Revenue</i>		-	-
<i>Expenditures</i>	General Fund	-	\$1,642,843
	Federal Funds	-	\$496,489
	TOTAL	-	\$2,139,332
	TOTAL FTE	-	27.2 FTE

* Table 1 shows the new impacts resulting from changes to the program under the bill, and the continuing impacts from extending the program beyond its current repeal date. Because the bill continues a program without making substantial changes, there are no new fiscal impacts.

Summary of Legislation

The bill continues the Colorado Civil Rights Division (division) and the Colorado Civil Rights Commission (commission) in the Department of Regulatory Agencies (DORA) through September 1, 2027. The programs are scheduled to repeal on July 1, 2018.

In addition, the bill requires the Office of the State Auditor to arrange for the completion of a performance audit of both the division and the commission by December 15, 2019, and again by December 15, 2024, to be presented to the Legislative Audit Committee.

Finally, the bill keeps the total members of the commission at 7 and modifies the membership of the commission as follows:

- *Business representatives redefined.* For the 2 business representatives, the term small business is further defined to mean a business employing at least 5 and less than 50 employees, so that future appointments include a representative of a business with 50 employees or less and a representative of a business with over 50 employees.
- *State and local government entity representatives to commerce and employee representatives.* For the 2 current positions requiring state or local government entity representatives, the future appointments to these positions must include 1 representative of a statewide chamber of commerce or other similar organization, and 1 representative of an employee association representing Colorado workers.
- *Community at-large representatives.* The 3 community at-large representatives are reduced to 1.
- *New employee association representatives.* The remaining 2 appointments that were formerly represented by the community at-large must represent an employee association representing Colorado workers.

The bill requires that no more than 6 commission members be affiliated with a major political party, that no more than three commission members be affiliated with the same political party, and that no change to a party registration has taken place for at least 2 years immediately preceding the member's appointment to the commission. Any commission nominee rejected by the Senate is deemed ineligible to hold the office for 2 years.

Background

The Colorado Civil Rights Division in DORA enforces Colorado's anti-discrimination laws in the areas of employment, housing, and public accommodations, and provides training to groups and individuals throughout Colorado. The division receives funding through the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development/Office of Fair Housing and Equal Opportunity. It formal cooperative agreements with these federal agencies avoid duplication of efforts on cases where joint jurisdiction exists.

The Colorado Civil Rights Commission is a seven-member board that develops policy and conducts hearings regarding illegal discriminatory practices. Board members may receive per diem and reimbursement costs for their work on the board, which typically costs less than \$5,000 per year.

Continuing Program Impacts

Based on the department's FY 2018-19 budget request, DORA is expected to have expenditures of \$2,139,332 and 27.2 FTE to administer the Civil Rights Division and Commission. Current expenditures will continue for the program starting in FY 2019-20.

State Expenditures

In FY 2019-20 and FY 2024-25, the Office of the State Auditor will have a workload increase to perform the audits required under the bill. No change in appropriations is required.

State Appropriation

The bill includes but does not require a General Fund appropriation of \$10,000 to the Department of Regulatory Agencies, to be reappropriated to the Office of Information Technology.

Effective Date

The bill was signed into law by the Governor on May 22, 2018, and it took effect July 1, 2018.

State and Local Government Contacts

Counties	Governor	Judicial
Law	Municipalities	Personnel
Regulatory Agencies	State Auditor	