



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 18-1290

**FINAL
FISCAL NOTE**

Drafting Number: LLS 18-0836
Prime Sponsors: Rep. Roberts; Lawrence
Sen. Sonnenberg

Date: June 14, 2018
Bill Status: Postponed Indefinitely
Fiscal Analyst: Josh Abram | 303-866-3561
Josh.Abram@state.co.us

Bill Topic: SUNSET CERT OF CONSERVATION EASEMENT HOLDERS

Summary of Fiscal Impact:

| | |
|---|--|
| <input checked="" type="checkbox"/> State Revenue (<i>continuation</i>) | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure (<i>continuation</i>) | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

Sunset bill. HB 18-1290 continues the Certification of Conservation Easement Holders in the Division of Real Estate in the Department of Regulatory Agencies, which is scheduled to repeal on July 1, 2018. State fiscal impacts include the continuation of the program's current revenue and expenditures. The program is continued through September 1, 2025.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This final fiscal note reflects the reengrossed bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

**Table 1
State Fiscal Impacts Under HB 18-1290***

| New Impacts | | FY 2018-19 | FY 2019-20 |
|----------------------------|------------|------------|------------|
| Revenue | Cash Funds | - | - |
| Expenditures | Cash Funds | - | - |
| Continuing Program Impacts | | FY 2018-19 | FY 2019-20 |
| Revenue | Cash Funds | - | \$500,000 |
| Expenditures | Cash Funds | - | \$500,000 |
| | FTE | - | 3.75 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 any significant changes, there are no new impacts. The continuing program impacts will end if the bill is not passed and the program is allowed to repeal.

Summary of Legislation

The bill implements the recommendations of the Department of Regulatory Agencies (DORA) in its 2017 sunset review of the Certification of Conservation Easement Holders in the Division of Real Estate in the DORA, and continues the certification program until September 1, 2025.

The bill authorizes the director of the Division of Real Estate, in consultation with the Conservation Easement Oversight Commission, to:

- share conservation easement information with a third-party vendor in order to develop a registry of conservation easements in the state for which holders have received tax credits; and
- make an annual report concerning information in the registry as a part of the DORA's SMART Act hearing presentation.

Continuing Program Impacts

Based on 2017 sunset review, the DORA is expected to have revenue and expenditures of approximately \$500,000 and 3.75 FTE to administer the Certification of Conservation Easement Holders program. If this bill is enacted, current revenue and expenditures will continue for the program starting in FY 2019-20. If this bill is not enacted, the program will end on July 1, 2019, following a wind-down period, and state revenue and expenditures will decrease starting in FY 2019-20 by the amounts shown in Table 1.

Effective Date

The bill was postponed indefinitely by the Senate State, State, Veterans, and Military Affairs Committee on May 2, 2018.

State and Local Government Contacts

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|---------------------------------|----------------|-------------------|
| Judicial Regulatory Agencies | Law Revenue | Natural Resources |
|---------------------------------|----------------|-------------------|