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FISCAL NOTE

Drafting Number: LLS 18-0394 Date: March 15, 2018
Prime Sponsors: Rep. Winter; Thurlow Bill Status: House Transportation
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Bill Topic: SUNSET CONSERVATION EASEMENT OVERSIGHT COMMISSION

- Summary of Fiscal Impact: State Revenue, State Expenditure (continuation), State Transfer, TABOR Refund, Local Government, Statutory Public Entity

Sunset bill. HB 18-1291 continues the Conservation Easement Oversight Commission 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 commission's current expenditures. The program is continued through September 1, 2025.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill. This fiscal note is preliminary. State agencies were not given enough time to provide information that informs the fiscal impact. This fiscal note may be revised as more information becomes available.

Table 1 State Fiscal Impacts Under HB 18-1291*

Table with 3 columns: Category, FY 2018-19, FY 2019-20. Rows include New Impacts (Revenue, Expenditures) and Continuing Program Impacts (Revenue, Expenditures, 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 Conservation Easement Oversight Commission in the Division of Real Estate in the DORA by extending the repeal date of the commission until September 1, 2025.

Additionally, the bill makes modifications to the composition of commission, reduces membership from nine to seven members, and converts the commission from a Type 2 Agency to a Type 1 Agency, permitting the commission to exercise its powers, duties, and functions independent from the Division of Real Estate.

Background

The commission is supported by staff in the Division of Real Estate in the DORA that certify conservation easement holders. That certification program that the commission supports is also under sunset review in House Bill 18-1290.

Continuing Program Impacts

Based on the 2017 sunset review, DORA had no direct revenue or expenditures to administer the Conservation Easement Oversight Commission but did receive and spend approximately \$500,000 annually to support the program to certify conservation easement holders. These resources also support the work of the commission. This fiscal note assumes that expense reimbursements and travel expenses for commission members is less than \$5,000 annually.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature. The transfer of the commission as a Type 1 agency takes effect on July 1, 2019.

State and Local Government Contacts

Law	Natural Resources
Regulatory Agencies	Revenue