



Legislative
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SB 19-109

FINAL FISCAL NOTE

Drafting Number: LLS 19-0858
Prime Sponsors: Sen. Fenberg
Rep. Garnett

Date: August 29, 2019
Bill Status: Signed into Law
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Bill Topic: ADJUST DAMAGES LIMITATIONS FOR INFLATION

Summary of Fiscal Impact:

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

This bill adjusts damage limitations for inflation on January 1, 2020 and each January every two years thereafter, for unlawfully serving alcohol, non-economic loss or injury, and wrongful death. This bill minimally increases workload for the Judicial Department and the Department of State on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

This bill adjusts damage limitations for unlawfully serving alcohol, non-economic loss or injury, and wrongful death. The bill requires that damage limitations will be adjusted for inflation on January 1, 2020, and each January 1 every two years thereafter. This change applies to claims that accrue on or after January 1, 2020, and each January 1 every two years. The Department of State will be required to certify adjusted limitation on damages within fourteen days of information becoming available.

Background

The limitations on the amount of damages for unlawfully serving alcohol, non-economic loss or injury, and for wrongful death were last adjusted for inflation on January 1, 2008.

State Revenue

To the extent that higher damage limitations incentivize more parties to file civil lawsuits, the state will have a minimal increase in revenue credited to various cash funds in the Judicial Department and the General Fund starting in FY 2019-20 as a result of increased court filings. Court fee revenue is subject to TABOR.

State Expenditures

Beginning in FY 2019-20, this bill will minimally increase workload for the Judicial Department and the Department of State as discussed below.

Judicial Department. To the extent that civil filings increase under the bill, workload for the trial courts will increase. Any increase in workload is expected to be minimal and can be accomplished within existing appropriations.

Secretary of State. Adjusting the limitations for damages every two years will minimally increase workload for the Department of State to certify these adjustments. This workload can be accomplished within existing appropriations.

Local Government

To the extent that there is an increase in court filings, this bill will increase revenue and workload for the Denver County Court, funded and operated by the City and County of Denver.

Effective Date

The bill was signed into law by the Governor on April 8, 2019, and took effect August 2, 2019.

State and Local Government Contacts

District Attorneys
Revenue

Judicial
Secretary Of State

Law