



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1048

FINAL FISCAL NOTE

Drafting Number:	LLS 20-0884	Date:	June 22, 2020
Prime Sponsors:	Rep. Herod; Buckner Sen. Fields	Bill Status:	Signed into Law
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Bill Topic: **RACE TRAIT HAIRSTYLE ANTI-DISCRIMINATION PROTECTION**

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill clarifies that state law prohibiting discrimination on the basis of race includes hair texture, type, or styles commonly or historically associated with race. The bill increases state revenue and workload by a minimal amount on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

For the purposes of state law prohibiting discrimination on the basis of race in the context of public education, employment, housing, public accommodation, and advertising, the bill specifies that race includes hair texture, hair type, and protective hairstyles that are commonly or historically associated with race, such as braids, locs, twists, corn rows, tight coils or curls, Bantu knots, Afros, and headwraps. The bill also specifies that school districts and charter schools may not apply to the State Board of Education for a waiver from state laws related to discrimination based on hair texture, type, or protective hairstyles commonly or historically associated with race.

State Revenue

To the extent that the bill increases the number of civil cases filed, state revenue from filing fees will increase. Any increase is expected to be minimal. Revenue from filing fees is subject to TABOR.

State Expenditures

Beginning in FY 2020-21, the bill increases state workload by a minimal amount for the following state agencies:

- the trial courts in the Judicial Department to handle any additional civil claims alleging discrimination;

- the Department of Personnel and Administration to handle any additional cases of state employees challenging employment decisions;
- the Department of Law to handle any additional cases brought against the state; and
- the Department of Regulatory Agencies to handle any additional complaints brought to the Civil Rights Division.

The fiscal note assumes that the state and other entities will abide by the law; as a result, any increase is expected to be minimal and does not require a change in appropriations.

TABOR refunds. Under the March 2020 Legislative Council Staff Economic and Revenue Forecast, the state is not expected to collect revenue above the TABOR limit in either FY 2020-21 and FY 2021-22, and refund obligations are not anticipated for these years. The bill does not change these expectations concerning refunds to taxpayers.

Local Government

To the extent that cases are brought against local government entities, costs and workload will increase. The fiscal note assumes that these entities will abide by the law; as a result, any increase is expected to be minimal.

Effective Date

The bill was signed into law by the Governor on March 6, 2020, and takes effect September 14, 2020, assuming no referendum petition is filed. The bill applies to conduct occurring on or after that date.

State and Local Government Contacts

Judicial	Education	Higher Education
Labor	Law	Local Affairs
Personnel	Regulatory Agencies	School Districts