



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 21-0706
Prime Sponsors: Rep. Benavidez
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Bill Status: House State Affairs
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Bill Topic: LEGISLATIVE PROCEEDINGS DURING DISASTER EMERGENCY

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

The bill authorizes the Executive Committee of the Legislative Council to allow members of the General Assembly to participate electronically in legislative proceedings during a declared disaster emergency. It increases state expenditures in the current FY 2020-21 and FY 2021-22 only.

Appropriation Summary: No appropriation is required.

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

Table 1
State Fiscal Impacts Under HB 21-1003

Table with 4 columns: Category, Current Year FY 2020-21, Budget Year FY 2021-22, Out Year FY 2022-23. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total Expenditures, Total FTE), Transfers, and TABOR Refund.

## **Summary of Legislation**

The bill authorizes the Executive Committee of the Legislative Council to permit members of the General Assembly to participate electronically in legislative proceedings during a disaster emergency declared by the Governor that is caused by a public health emergency. In addition, the bill allows joint committees of reference to conduct State Measurement for Accountable, Responsive, and Transparent Government (SMART) Act hearings any time after the General Assembly convenes for the first regular 2021 session, including while the General Assembly is temporarily adjourned. Legislators participating electronically are entitled to the same per diem as legislators participating in person. Travel expenses for electronic participation are authorized only for legislators who cannot participate electronically from their home due to a technological limitation.

## **Assumptions**

The cost estimate is based on the following assumptions:

- The capability for electronic participation will be needed for the General Assembly's 2021 regular session only;
- Legislative Council Staff (LCS) will be supporting 19 committees of reference;
- The committee schedule will allow up to six committees to meet at the same time (three House and three Senate committees); and
- These committee hearings will occur at the same time in up to four separate physical areas of the Capitol Complex:
  - The House committee room area (Capitol basement);
  - The Senate Committee room area (Capitol third floor);
  - The Old Supreme Court Chambers and Old State Library (Capitol second floor); and
  - Hearing Rooms A and B (Legislative Services Building).

**State Expenditures**

Expenditures in the Legislative Department will increase by \$81,053 in the current FY 2020-21 and \$22,918 in FY 2021-22 only. These costs, which are paid from the General Fund, are shown in Table 2 and described below. As described below, no additional appropriations are required to implement the bill.

**Table 2  
Expenditures Under HB 21-1003**

	Current Year FY 2020-21	Budget Year FY 2021-22	Out Year FY 2022-23
<b>Legislative Department</b>			
Personal Services	\$63,696	\$20,232	-
Operating Expenses	\$8,265	\$855	-
Capital Outlay Costs	\$3,600	-	-
Centrally Appropriated Costs <sup>1</sup>	\$5,492	\$1,831	-
<b>Total Cost</b>	<b>\$81,053</b>	<b>\$22,918</b>	-
<b>Total FTE</b>	<b>1.1 FTE</b>	<b>0.4 FTE</b>	-

<sup>1</sup> Centrally appropriated costs are not included in the bill's appropriation.

The Legislative Department will incur information technology (IT) support costs to facilitate remote participation. Costs for legislator reimbursement may also be affected. Actual costs may vary depending on the nature of the remote participation policy adopted. No appropriation is required; the costs can be absorbed within existing appropriations due to one-time savings from LCS staff temporarily transferring to the state's redistricting commissions.

- *Meeting facilitation.* LCS provides committee staff and IT support for legislative committees. Currently, LCS has only one staff person dedicated to facilitating remote committee capabilities. Expanding this capability to all committees will require three additional session-only IT support staff to provide coverage at each of the four committee locations in the Capitol Complex. Staff are assumed to be needed for six months (0.5 FTE) each, and are prorated for a hire date in mid-February, 2021. Operating expenses include standard operating and capital outlay costs as well as remote meeting software.
- *Per diem.* The bill establishes that legislators participating remotely in a legislative proceeding are entitled to receive the same per diem as a legislators who are participating in person. The fiscal note assumes the number of working days, and thus per diem payments, will be unchanged.

- *Travel expense reimbursement.* Under current law, legislators are eligible for travel reimbursement to participate in legislative proceedings in person. These costs totaled \$175,320 in FY 2018-19 and \$131,545 in FY 2019-20. If electronic participation is authorized by the Executive Committee, some travel cost savings may be realized; however, this amount is not estimated. New costs for travel reimbursement to remote participation locations are assumed to be less than what would otherwise be spent on in-person attendance.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$5,492 in FY 2020-21 and \$1,831 in FY 2021-22.

## Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## State and Local Government Contacts

Legislative Council Staff