



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 21-0195	Date:	January 13, 2021
Prime Sponsors:	Rep. Snyder; Soper Sen. Gardner; Lee	Bill Status:	House Finance
		Fiscal Analyst:	Aaron Carpenter 303-866-4918 Aaron.Carpenter@state.co.us

Bill Topic: COLORADO UNIFORM ELECTRONIC WILLS ACT

Summary of Fiscal Impact:

<input 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

This bill permits and regulates the use of electronic wills. Starting in the current FY 2020-21, this bill will minimally increase state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill. The bill was recommended by the Colorado Commission on Uniform State Law.

Summary of Legislation

This bill permits and regulates the use of electronic wills. Specifically, the bill outlines the processes for executing an electronic will; revoking an electronic will; simultaneously attesting to an electric will and making it self-proving; and creating a certified paper copy of an electronic will.

State Expenditures

Starting in the current FY 2020-21, workload in the Judicial Department and the Secretary of State's Office will increase by a minimal amount. These impacts are discussed below.

Judicial Department. This bill will increase workload for registers and the trial courts within the Judicial Department. For registers, it is estimated that the bill will require a small increase in work to review electronic wills to determine if an application should be accepted or forwarded to a court. For the trial courts, it is estimated that the bill will increase trial court workload by about 400 hours, equivalent to 0.2 FTE of judicial officer staff time, to conduct hearings on electric wills. This assumes that half of all testate informal filings will be an electric will and that 25 percent of those, or about 775 cases, will be contested and require a 30 minute court hearing. The fiscal note assumes this workload can be accomplished by existing judicial officers based on current caseload standards and no change in appropriations is required.

Secretary of State's Office. Workload in the Secretary of State's Office will increase in the current FY 2020-21 only to update trainings, handbooks, and other documents for notaries. The fiscal note assumes that this increased workload can be accomplished within existing resources and no change in appropriations is required.

Effective Date

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

State and Local Government Contacts

Information Technology
Office of Public Guardianship

Judicial
Secretary of State