

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING PROTECTIONS FOR COLORADO WORKERS AGAINST DISCRIMINATORY EMPLOYMENT PRACTICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Sens. Winter and Pettersen  
Reps. Lontine and Gray

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Date Prepared: June 7, 2021

**Appropriation Items of Note**

**Appropriation Already Added to Bill, Amendment in Packet**

**General Fund Impact**

**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 05/18/21.

	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
<b>XXX</b>	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The House Judiciary Committee Report (06/07/21) includes the following changes to the bill:

- Eliminates provisions that prohibit discrimination based on caregiver status;
- Eliminates provisions that add a member to the Civil Right Commission who has been or might be discriminated against based on caregiver status;
- Eliminates provisions that modify the definition of "harassment" and retains the existing standard for determining if a person has been subjected to harassment; and
- Eliminates various provisions that specify the steps an employer must have taken in order to avoid liability if the employer is charged with harassment.

Legislative Council Staff and JBC Staff concur that this amendment eliminates the fiscal impact of the bill on all departments except the Department of Regulatory Agencies, which will have additional costs in the Civil Rights Division, and the Department of Law, which will provide additional legal services to the Department of Regulatory Agencies.

Legislative Council Staff and JBC Staff concur that, as amended in the House Judiciary Committee

**SB21-176****JBC Staff Analysis**

Report, the bill requires an appropriation of \$388,100 General Fund to the Department of Regulatory Agencies for FY 2021-22, based on an assumption that the Department will require an additional 6.0 FTE. The Department of Law requires an appropriation of \$15,951 reappropriated funds for FY 2021-22 to provide legal services to the Department of Regulatory Agencies.

The bill is anticipated to require an appropriation of \$353,341 General Fund to the Department of Regulatory Agencies in FY 2022-23.

<b>Amendments in This Packet for Consideration by Appropriations Committee</b>	
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Amendment	Description
J.004	Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill includes provisions that make appropriations to multiple departments for FY 2021-22 totaling \$4,309,078, including \$3,660,723 General Fund, \$269,646 cash funds, \$356,239 reappropriated funds, and \$22,470 federal funds estimated to be received. The appropriation clause also states that these amounts are based on the assumption that the affected departments will require a total of 42.9 additional FTE. The impact by department is shown in the table below.

Agency	Total	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Corrections	\$539,292	\$ 539,292	\$0	\$0	\$0	6.0
Education	71,905	71,905	0	0	0	0.8
Governor	134,823	134,823	0	0	0	1.5
Health Care Policy and Financing	44,941	22,471	0	0	22,470	0.5
Human Services	449,410	449,410	0	0	0	5.0
Judicial	449,410	449,410	0	0	0	5.0
Labor and Employment	107,858	107,858	0	0	0	1.2
Law	401,180	44,941	0	356,239	0	2.5
Natural Resources	134,823	134,823	0	0	0	1.5
Personnel and Administration	630,465	630,465	0	0	0	1.5
Public Health and Environment	125,835	125,835	0	0	0	1.4
Public Safety	161,788	161,788	0	0	0	1.8
Regulatory Agencies	652,879	652,879	0	0	0	9.7
Revenue	134,823	134,823	0	0	0	1.5
Transportation	269,646	0	269,646	0	0	3.0
<b>Totals</b>	<b>\$4,309,078</b>	<b>\$3,660,723</b>	<b>\$269,646</b>	<b>\$ 356,239</b>	<b>\$22,470</b>	<b>42.9</b>

**Description of Amendments in This Packet**

**J.004** Staff has prepared amendment **J.004** (attached) to strike the existing appropriation clause and replace it with a provision appropriating of \$388,100 General Fund to the Department of Regulatory Agencies for FY 2021-22, based on an assumption that the Department will require an additional 6.0 FTE. This provision also includes an appropriation to the Department of Law of \$15,951 reappropriated funds for FY 2021-22 to provide legal services to the Department of Regulatory Agencies.

**Points to Consider***General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2021-22 based on the March 2021 Legislative Council Staff revenue forecast. The budget package includes a set aside of \$48.0 million General Fund for bills that require General Fund appropriations for FY 2021-22. This bill requires a General Fund appropriation of \$388,100 for FY 2021-22, reducing the \$48.0 million set aside by the same amount.