

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING CREATION OF A FAMILY AND COMMUNITY INTERVENER PROGRAM TO SUPPORT CHILDREN EXPERIENCING DEAFBLINDNESS.

Prime Sponsors: Reps. Young and Bradfield
Senator Cutter

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Appropriation Items of Note

Appropriation Required/Amendment in Packet

Significant Cost Increase in Second Year

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 03/14/23.

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

The Colorado Telephone Users With Disabilities Fund (TUDF) is under the purview of the Colorado Public Utilities Commission, which sets a monthly surcharge per telephone access line to generate revenue for the Fund. Pursuant to Section 40-17-103 (3), C.R.S., the Colorado Public Utilities Commission (PUC) sets this monthly surcharge to generate revenue to "recover its costs and the cost to voice service providers in implementing and administering telecommunications relay services." A portion of this revenue supports the Colorado Commission for the Deaf, Hard of Hearing, and DeafBlind and statute requires the appropriation of funds from the TUDF to the Colorado Commission of the Deaf, Hard of Hearing, and DeafBlind Cash Fund (Commission's Cash Fund), created in Section 26-21-107 (1), C.R.S. As a result of these statutory requirements, making an appropriation to the Commission requires an initial appropriation from the TUDF to the Commission's Cash Fund and then a "reappropriation" of those funds to the Commission.

Legislative Council Staff and JBC Staff agree on the required \$130,092 cash fund appropriation from the TUDF for the implementation of this bill; however, this appropriation must first be made to the PUC in the Department of Regulatory Agencies, then reappropriated to the Colorado Commission

for the Deaf, Hard of Hearing, and DeafBlind in the Department of Human Services. This represents a technical correction to the Revised Fiscal Note to follow the statutory requirements for appropriations related to the Commission's Cash Fund. Legislative Council Staff agrees with this assessment.

Amendments in This Packet for Consideration by Appropriations Committee

| Amendment | Description |
|------------------|--|
| J.001 | Staff-prepared appropriation amendment |

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$130,092 cash funds from the Colorado Telephone Users With Disabilities Fund to the Department of Regulatory Agencies for FY 2023-24. The provision further reappropriates the \$130,092 to the Department of Human Services, based on the assumption that the Department of Human Services will require an additional 0.4 FTE.

Points to Consider

Revenue Source / Future Fiscal Impact

The Colorado Telephone Users With Disabilities Fund is under the purview of the Colorado Public Utilities Commission, which sets a monthly surcharge to generate revenue for the Fund. Pursuant to Section 40-17-103 (3), C.R.S., the PUC sets a monthly surcharge to generate revenue to "recover its costs and the cost to voice service providers in implementing and administering telecommunications relay services." The current monthly surcharge applied by the PUC is \$0.06 per telephone access line. On February 1, 2023, citing an increase of 1.1 million access lines to which the surcharge is applicable, a reduction in administration costs, and an adjustment to the payment remittance schedule for the surcharge, the PUC reduced the monthly surcharge to \$0.03 per telephone access line. The fee change takes effect April 1, 2023. Increasing expenditures from the TUDF will create pressures on the Fund's revenue and may require an increase in the surcharge in future years.