

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0437.01 Esther van Mourik

HOUSE BILL 11-1078

HOUSE SPONSORSHIP

Kefalas,

SENATE SPONSORSHIP

(None),

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE REQUEST OF POVERTY IMPACT STATEMENTS
102 REGARDING LEGISLATIVE MEASURES INTRODUCED BY THE
103 GENERAL ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill allows the chair of a house of representatives or senate committee of reference or the ranking minority member of a house of representatives or senate committee of reference to request the staff of the legislative council preparing the review of the fiscal impact of legislative

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

measures enacted during any legislative session, regular or special, commencing on or after January 1, 2012, to prepare a poverty impact statement if the legislative measure appears to have at least one of the following effects:

- ! Affect child and family poverty;
- ! Build the assets and financial security of the state's residents;
- ! Increase preschool through postsecondary educational opportunities;
- ! Expand the state's work force with quality jobs that meet private sector needs;
- ! Allow for cooperation with community-based organizations where appropriate;
- ! Establish fair, sustainable, and targeted tax policies; and
- ! Address work support issues for the state's residents such as child care, housing, utilities, health, and food security.

The bill sets forth specific information that must be included in the poverty impact statement and gives guidance as to when the poverty impact statement must be prepared and released.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 2-2-322 (3) (a), Colorado Revised Statutes, is
3 amended, and the said 2-2-322 is further amended BY THE ADDITION
4 OF A NEW SUBSECTION, to read:

5 **2-2-322. Fiscal notes - definitions.** (3) (a) Each state
6 department, agency, or institution shall cooperate with and provide
7 information on the fiscal impact of a legislative measure in the manner
8 requested by the staff of the legislative council for consideration by the
9 staff in connection with the preparation of a fiscal note for the measure.

10 EACH STATE DEPARTMENT, AGENCY, OR INSTITUTION SHALL COOPERATE
11 WITH AND PROVIDE INFORMATION REQUESTED BY THE STAFF OF THE
12 LEGISLATIVE COUNCIL IN PREPARATION OF ANY POVERTY IMPACT
13 STATEMENT REQUESTED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

14 (4) (a) IF A LEGISLATIVE MEASURE INTRODUCED DURING ANY

1 LEGISLATIVE SESSION, REGULAR OR SPECIAL, COMMENCING ON OR AFTER
2 JANUARY 1, 2012, WOULD APPEAR TO HAVE AT LEAST ONE OF THE
3 FOLLOWING EFFECTS, THEN THE CHAIR OR RANKING MINORITY MEMBER OF
4 A HOUSE OR SENATE COMMITTEE OF REFERENCE MAY REQUEST THE STAFF
5 OF THE LEGISLATIVE COUNCIL TO PREPARE A POVERTY IMPACT
6 STATEMENT:

7 (I) AFFECT CHILD AND FAMILY POVERTY;

8 (II) BUILD THE ASSETS AND FINANCIAL SECURITY OF THE STATE'S
9 RESIDENTS;

10 (III) INCREASE PRESCHOOL THROUGH POSTSECONDARY
11 EDUCATIONAL OPPORTUNITIES;

12 (IV) EXPAND THE STATE'S WORK FORCE WITH QUALITY JOBS THAT
13 MEET PRIVATE SECTOR NEEDS;

14 (V) ALLOW FOR COOPERATION WITH COMMUNITY-BASED
15 ORGANIZATIONS WHERE APPROPRIATE;

16 (VI) ESTABLISH FAIR, SUSTAINABLE, AND TARGETED TAX POLICIES;

17 AND

18 (VII) ADDRESS WORK SUPPORT ISSUES FOR THE STATE'S RESIDENTS
19 SUCH AS CHILD CARE, HOUSING, UTILITIES, HEALTH, AND FOOD SECURITY.

20 (b) A STATEMENT SHALL INCLUDE AN ESTIMATE OF ANY
21 SIGNIFICANT IMPACT OF THE LEGISLATIVE MEASURE AND ANY
22 COST-BENEFIT ANALYSIS OF THE LEGISLATIVE MEASURE THAT TAKES INTO
23 ACCOUNT THE ESTIMATED SIGNIFICANT IMPACT.

24 (c) THE STATEMENT SHALL INCLUDE INFORMATION ABOUT THE
25 DATA SOURCES USED TO PREPARE THE STATEMENT AND A BRIEF
26 DESCRIPTION OF THE DATA ANALYSIS THAT WAS MADE.

27 (d) A STATEMENT REQUESTED BY A MEMBER OF THE GENERAL

1 ASSEMBLY SHALL REMAIN CONFIDENTIAL UNTIL RELEASED BY THE
2 MEMBER.

3 (e) THE STAFF OF THE LEGISLATIVE COUNCIL SHALL BE
4 RESPONSIBLE FOR PREPARING THE STATEMENT WITHIN EXISTING
5 RESOURCES AND MAY COLLABORATE WITH THE APPROPRIATE STATE
6 DEPARTMENT, AGENCY, OR INSTITUTION. THE STAFF OF THE LEGISLATIVE
7 COUNCIL MAY ALSO WORK DIRECTLY WITH THE STATE DEMOGRAPHER OR
8 ANY OTHER NONPARTISAN OBJECTIVE ANALYSTS IN PREPARING THE
9 STATEMENT. WHEN FEASIBLE, THE TIMING OF THE PREPARATION AND
10 RELEASE OF THE STATEMENT SHALL BE SIMILAR TO THE PREPARATION AND
11 RELEASE OF THE FISCAL IMPACT REVIEW OF THE LEGISLATIVE MEASURE.
12 THE STATEMENT MAY BE A SEPARATE DOCUMENT FROM THE FISCAL
13 IMPACT REVIEW.

14 (f) AS USED IN THIS SUBSECTION (4), UNLESS THE CONTEXT
15 OTHERWISE REQUIRES:

16 (I) "POVERTY THRESHOLD" MEANS TWO HUNDRED PERCENT OF THE
17 FEDERAL POVERTY LINE, AS DEFINED IN SECTION 2-2-1403 (2), AND MAY
18 INCLUDE THE NATIONAL ACADEMY OF SCIENCES' MODERNIZED POVERTY
19 MEASURE WHEN SUCH METHODOLOGIES ARE AVAILABLE IN THE STATE.

20 (II) "SIGNIFICANT IMPACT" MEANS A PROJECTION OF THE NUMBER
21 OF INDIVIDUAL AND FAMILY INCOMES THAT MAY INCREASE OR DECREASE
22 BELOW THE POVERTY THRESHOLD RESULTING FROM THE IMPLEMENTATION
23 OF THE LEGISLATIVE MEASURE, OR A PROJECTION AS TO HOW
24 IMPLEMENTATION OF THE LEGISLATIVE MEASURE WOULD AFFECT ACCESS
25 TO BASIC HUMAN SERVICES, INCLUDING, BUT NOT LIMITED TO, HEALTH
26 CARE, HOUSING, AND EDUCATION.

27 (III) "STATEMENT" MEANS A POVERTY IMPACT STATEMENT AS

1 DESCRIBED IN THIS SUBSECTION (4).

2 **SECTION 2. Act subject to petition - effective date.** This act
3 shall take effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part shall not take effect
9 unless approved by the people at the general election to be held in
10 November 2012 and shall take effect on the date of the official
11 declaration of the vote thereon by the governor.