

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0734.01 Troy Bratton

SENATE BILL 11-116

SENATE SPONSORSHIP

Mitchell,

HOUSE SPONSORSHIP

Kerr A.,

Senate Committees
State, Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING BUSINESS FISCAL IMPACT STATEMENTS.

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 requires the staff of the legislative council to designate a 5-day period following the introduction of new legislation or the notice of proposed rule-making. During the 5-day period, Colorado businesses may submit comments regarding the new legislation's or new rule's business fiscal impact. Upon the expiration of the 5-day period, the staff of the legislative council is required to compile and summarize the comments and prepare a business fiscal impact statement. For legislation,

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.

the statement will accompany the fiscal note. For rules, the statement will be forwarded to the executive director of the principal department seeking to promulgate the rule and posted on the staff of the legislative council's official web site.

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

2 **SECTION 1.** Part 3 of article 2 of title 2, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **2-2-322.5. Business fiscal impact statement.** (1) THE STAFF OF
6 THE LEGISLATIVE COUNCIL SHALL PREPARE A BUSINESS FISCAL IMPACT
7 STATEMENT FOR EACH LEGISLATIVE MEASURE INTRODUCED BY A MEMBER
8 OF THE GENERAL ASSEMBLY AND FOR EACH NEW RULE PROPOSED BY A
9 PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE
10 GOVERNMENT.

11 (2) (a) UPON THE INTRODUCTION OF LEGISLATIVE MEASURES, THE
12 STAFF OF THE LEGISLATIVE COUNCIL SHALL DESIGNATE A FIVE-DAY PERIOD
13 DURING WHICH COLORADO BUSINESSES MAY SUBMIT COMMENTS
14 REGARDING THE POTENTIAL BUSINESS FISCAL IMPACT OF THE LEGISLATIVE
15 MEASURE. THE FIVE-DAY PERIOD SHALL COMMENCE NO SOONER THAN THE
16 SECOND DAY AFTER THE INTRODUCTION OF THE LEGISLATIVE MEASURE
17 AND NO LATER THAN THE FOURTH DAY AFTER THE INTRODUCTION OF THE
18 LEGISLATIVE MEASURE.

19 (b) UPON THE EXPIRATION OF THE FIVE-DAY PERIOD REQUIRED BY
20 PARAGRAPH (a) OF THIS SUBSECTION (2), THE STAFF OF THE LEGISLATIVE
21 COUNCIL SHALL SUMMARIZE AND COMPILE ANY COMMENTS RECEIVED
22 FROM COLORADO BUSINESSES AND SHALL PREPARE A BUSINESS FISCAL
23 IMPACT STATEMENT. IF NO COMMENTS ARE RECEIVED, THE BUSINESS

1 FISCAL IMPACT STATEMENT SHALL STATE THAT NO COMMENTS WERE
2 RECEIVED. THE BUSINESS FISCAL IMPACT STATEMENT SHALL ACCOMPANY
3 THE FISCAL NOTE REQUIRED BY SECTION 2-2-322.

4 (3)(a) FOR NEW RULES PROPOSED BY A PRINCIPAL DEPARTMENT OF
5 THE EXECUTIVE BRANCH OF STATE GOVERNMENT, THE EXECUTIVE
6 DIRECTOR OF A PRINCIPAL DEPARTMENT THAT PROPOSES A NEW RULE, OR
7 THE EXECUTIVE DIRECTOR'S DESIGNEE, SHALL NOTIFY THE STAFF OF THE
8 LEGISLATIVE COUNCIL OF ANY NOTICE OF PROPOSED RULE-MAKING. UPON
9 THE RECEIPT OF SUCH NOTIFICATION, THE STAFF OF THE LEGISLATIVE
10 COUNCIL SHALL DESIGNATE A FIVE-DAY PERIOD DURING WHICH COLORADO
11 BUSINESSES MAY SUBMIT COMMENTS REGARDING THE POTENTIAL
12 BUSINESS FISCAL IMPACT THAT THE NEW RULE WILL HAVE. THE FIVE-DAY
13 PERIOD SHALL COMMENCE NO SOONER THAN THE SECOND DAY AFTER THE
14 RECEIPT OF NOTIFICATION AND NO LATER THAN THE FOURTH DAY AFTER
15 THE RECEIPT OF NOTIFICATION.

16 (b) UPON THE EXPIRATION OF THE FIVE-DAY PERIOD REQUIRED BY
17 PARAGRAPH (a) OF THIS SUBSECTION (3), THE STAFF OF THE LEGISLATIVE
18 COUNCIL SHALL SUMMARIZE AND COMPILE ANY COMMENTS RECEIVED
19 FROM COLORADO BUSINESSES AND SHALL PREPARE A BUSINESS FISCAL
20 IMPACT STATEMENT. IF NO COMMENTS ARE RECEIVED, THE BUSINESS
21 FISCAL IMPACT STATEMENT SHALL STATE THAT NO COMMENTS WERE
22 RECEIVED. THE BUSINESS FISCAL IMPACT STATEMENT SHALL BE
23 FORWARDED TO THE EXECUTIVE DIRECTOR OF THE PRINCIPAL DEPARTMENT
24 AND SHALL BE POSTED ON THE OFFICIAL WEB SITE OF THE STAFF OF THE
25 LEGISLATIVE COUNCIL.

26 **SECTION 2. Act subject to petition - effective date.** This act
27 shall take effect at 12:01 a.m. on the day following the expiration of the

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