



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated February 19, 2024)

Drafting Number:	LLS 24-0634	Date:	April 17, 2024
Prime Sponsors:	Sen. Pelton B.; Kolker Rep. deGruy Kennedy; Frizell	Bill Status:	Senate Appropriations
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Bill Topic: NONPROFIT MEMBER DATA PRIVACY & PUBLIC AGENCIES

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill prohibits public agencies from collecting or disclosing member-specific data from nonprofit entities. It increases state expenditures starting in FY 2024-25.

Appropriation Summary: For FY 2024-25, the bill requires an appropriation of \$123,900 to the Office of the State Auditor in the Legislative Department.

Fiscal Note Status: This revised fiscal note reflects the introduced bill, as amended in the Senate Business, Labor, and Technology Committee.

**Table 1
State Fiscal Impacts Under SB 24-129**

		Budget Year FY 2024-25	Out Year FY 2025-26
Revenue		-	-
Expenditures	General Fund	\$123,900	\$123,900
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$18,585	\$18,585

Summary of Legislation

The bill prohibits public agencies from collecting, or requiring government contractors and grant recipients to disclose, member-specific data about members, volunteers, or donors of nonprofit entities.

Public agencies may collect member-specific data in limited situations, including if permitted by state, local, or federal statute; necessary to comply with the state constitution; pursuant to a lawful subpoena; voluntarily provided by the nonprofit entity; or sought by law enforcement personnel, among other exceptions.

The bill creates a civil cause of action for nonprofit entities or members to file suit against public agencies that violate these provisions.

State Expenditures

The bill increases state expenditures in the Office of the State Auditor (OSA) in the Legislative Department by about \$124,000 beginning in FY 2024-25, paid from the General Fund, to identify and implement new methods of data collection for various state audits and evaluations that currently involve nonprofit member-specific data. Specifically, workload in OSA will increase by an estimated 1,050 hours at an hourly rate of \$118 for annual financial audits, higher education compliance, tax expenditure evaluations, and performance reporting.

Workload in additional state agencies may increase to update rules, policies, and programs relating to non-profit member data collection. This workload is expected to be minimal and no change in appropriation is required.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed, and applies to the collection and disclosure of member-specific data on or after the bill's effective date.

State Appropriations

For FY 2024-25, the bill requires a General Fund appropriation of \$123,900 to the Office of the State Auditor in the Legislative Department.

State and Local Government Contacts

All State and Local Agencies

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).