



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 27, 2023)

Drafting Number:	LLS 23-0870	Date:	March 31, 2023
Prime Sponsors:	Sen. Bridges; Kirkmeyer Rep. Bird; Bockenfeld	Bill Status:	House Appropriations
		Fiscal Analyst:	Aaron Carpenter 303-866-4918 aaron.carpenter@coleg.gov

Bill Topic: OFFICE OF ADMINISTRATIVE SERVICES FOR INDEPENDENT AGENCIES

Summary of Fiscal Impact:

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

Budget package bill. The bill creates an independent administrative support office to support independent agencies within the Judicial Department. Starting in FY 2023-24, the bill increases state expenditures on an ongoing basis.

Appropriation Summary: For FY 2023-24, the bill requires and includes a net appropriation of \$508,289 to the Judicial Department and independent agencies therein.

Fiscal Note Status: This revised fiscal note reflects the reengrossed bill, and has been revised to reflect additional information. The bill was recommended by the Joint Budget Committee as part of its FY 2023-24 budget package.

Table 1
State Fiscal Impacts Under SB 23-228

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue		-	-
Expenditures	General Fund	\$508,289	\$454,502
	Total FTE	2.6 FTE	2.0 FTE
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$76,243	\$68,175

Summary of Legislation

The bill creates the Office of Administrative Services for Independent Agencies (ASIA) in the Judicial Department to provide administrative and fiscal support to certain independent agencies in the Judicial Department. This includes the Office of the Child Protection Ombudsman, the Independent Ethics Commission, the Office of Public Guardianship, and the Commission on Judicial Discipline.

The bill outlines what services must be provided by ASIA, including specific staff roles, and establishes a governing board of the impacted agencies, which is responsible for overseeing the office. The Judicial Department is required to provide the office with space in the Colorado Judicial Center, and to provide administrative support through June 30, 2024.

State Expenditures

The bill increases state General Fund expenditures by about \$508,000 in FY 2023-24 and \$455,000 in FY 2024-25. Expenditures are shown in Table 2 and detailed below. This change in expenditures represents the increase above the administrative services funding in the FY 2023-24 Long Bill, which is correspondingly adjusted by this bill.

Table 2
Expenditures Under SB 23-228

	FY 2023-24	FY 2024-25
Office of Administrative Services for Independent Agencies		
Personal Services	\$582,804	\$657,116
Operating Expenses	\$8,100	\$8,100
Capital Outlay Costs	\$40,020	-
Legal Services	\$50,227	-
Centrally Appropriated Costs	\$115,985	\$128,359
FTE – Personal Services	6.0 FTE	6.0 FTE
FTE – Legal Services	0.3 FTE	-
ASIA Subtotal	\$797,136	\$793,575
Judicial Department		
Legal Services	\$50,227	-
FTE – Legal Services	0.3 FTE	-
Judicial Subtotal	\$50,227	-

**Table 2
 Expenditures Under SB 23-228 (Cont.)**

Commission on Judicial Discipline		
2023-24 Long Bill Adjustment ¹	(\$339,073)	(\$339,073)
FTE – Personal Services	(4.0 FTE)	(4.0 FTE)
Commission Subtotal	(\$339,073)	(\$339,073)
Total Costs	\$508,289	\$454,502
Total FTE	2.6 FTE	2.0 FTE

¹ The fiscal note assumes that the FY 2023-24 Long Bill, which contains administrative support funding for the Commission on Judicial Discipline, will become law.

Office of Administrative Services for Independent Agencies. Starting in FY 2023-24, the newly created ASIA office requires 6.0 FTE to provide administrative support for various independent judicial agencies. This includes staff for a director, office manager, human resource analyst, budget analyst, accountant, and payroll analyst, as outlined in the bill. Staffing costs include personal services, operating expenses, and capital outlay costs, as shown in Table 2. The office will also require 475 hours of legal services to negotiate and enter into a memorandum of understanding with the Judicial Department. Legal services are provided by the Department of Law at a rate of \$105.74 per hour.

Judicial Department. The Judicial Department requires 475 hours of legal services to negotiate and enter into a memorandum of understanding with the ASIA office. Legal services are provided by the Department of Law at a rate of \$105.74 per hour. Workload in the Judicial Department will also increase to help stand-up the new ASIA office, including providing access to the department’s payroll system and transferring agency documentation. However, workload to the Judicial Department will decrease as administrative functions for the independent agencies are transitioned to the new office. The fiscal note assumes that if additional resources are needed for the transition, it will be requested through the annual budget process.

Commission on Judicial Discipline. The FY 2023-24 Long Bill includes funding for 4.0 FTE administrative staff for the Commission on Judicial Discipline. The bill removes this appropriation, as the Commission on Judicial Discipline will receive administrative support through the new office, should this bill become law.

Independent judicial agencies. Starting in FY 2023-24, workload will decrease in the independent agencies as administrative services are transitioned to ASIA, and minimally increase to serve on the governing board. The fiscal note assumes that IT services will still be available to the independent agencies through the Judicial Department. If independent agencies are expected to have their own IT staff, the fiscal note assumes that additional resources will be requested through the annual budget process.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2. The bill's appropriation also includes adjustments to centrally appropriated line items for employee insurance and supplemental retirement payments for the Commission on Judicial Discipline.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, except that certain provisions are conditional upon passage of Senate Bill 23-064.

State Appropriations

For FY 2023-24, the bill requires and includes the following appropriations:

- \$797,136 from the General Fund to the Office of Administrative Services for Independent Agencies with 6.0 FTE, of which \$50,227 is reappropriated to the Department of Law with 0.3 FTE;
- \$50,227 from the General Fund to the Judicial Department, fully reappropriated to the Department of Law with 0.3 FTE; and
- a reduction of \$339,073 from the General Fund to the Commission of Judicial Discipline and a corresponding reduction of 4.0 FTE.

State and Local Government Contacts

Child Protection Ombudsman
Law

Joint Budget Committee Staff
Office of Public Guardianship

Judicial