First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0317.01 Kate Meyer x4348 **HOUSE BILL 13-1069**

HOUSE SPONSORSHIP

Navarro-Ratzlaff,

SENATE SPONSORSHIP

(None),

House Committees
Business, Labor, Economic, & Workforce Development
Appropriations

Senate Committees

A BILL FOR AN ACT

CONCERNING THE PREPARATION OF SMALL BUSINESS FISCAL IMPACT STATEMENTS BY THE STAFF OF THE LEGISLATIVE COUNCIL.

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 prepare a small business fiscal impact statement for each bill or concurrent resolution (collectively, "legislative measures") introduced by a member of the general assembly, and describes the process for soliciting and compiling comments pertaining to the potential fiscal impacts of such

legislative measures on small businesses in the state.

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

SECTION 1. In Colorado Revised Statutes, **add** 2-2-322.5 as follows:

2-2-322.5. Small business fiscal impact statement - procedure - definitions. (1) (a) THE STAFF OF THE LEGISLATIVE COUNCIL SHALL PREPARE A SMALL BUSINESS FISCAL IMPACT STATEMENT FOR EACH LEGISLATIVE MEASURE INTRODUCED BY A MEMBER OF THE GENERAL ASSEMBLY.

(b) AS USED IN THIS SECTION:

(I) "LEGISLATIVE MEASURE" MEANS A BILL OR CONCURRENT RESOLUTION.

(II) "SMALL BUSINESS" MEANS ANY BUSINESS WITH FIFTY OR FEWER EMPLOYEES WHO ARE LOCATED IN COLORADO.

(2) (a) (I) UPON THE INTRODUCTION OF A LEGISLATIVE MEASURE IN ITS HOUSE OF ORIGIN, EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), THE STAFF OF THE LEGISLATIVE COUNCIL SHALL IDENTIFY A FIVE-DAY PERIOD DURING WHICH ANY PERSON MAY SUBMIT COMMENTS REGARDING THE POTENTIAL SMALL BUSINESS FISCAL IMPACTS OF THE LEGISLATIVE MEASURE. THE FIVE-DAY PERIOD COMMENCES NO SOONER THAN THE SECOND DAY AFTER THE INTRODUCTION OF THE LEGISLATIVE MEASURE AND NO LATER THAN THE FOURTH DAY AFTER THE INTRODUCTION OF THE LEGISLATIVE MEASURE.

(II) FOR A LEGISLATIVE MEASURE INTRODUCED IN ITS HOUSE OF ORIGIN ON OR AFTER THE ONE HUNDRED FIFTEENTH DAY OF A LEGISLATIVE SESSION, THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MAKE A

REASONABLE ATTEMPT TO ACCEPT COMMENTS REGARDING THE POTENTIAL SMALL BUSINESS FISCAL IMPACTS OF THE LEGISLATIVE MEASURE.

(b) (I) UPON THE EXPIRATION OF THE FIVE-DAY PERIOD REQUIRED BY SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS SUBSECTION (2), OR TO THE EXTENT FEASIBLE FOR COMMENTS RECEIVED PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2), THE STAFF OF THE LEGISLATIVE COUNCIL SHALL PREPARE A SMALL BUSINESS FISCAL IMPACT STATEMENT THAT SUMMARIZES AND COMPILES THE COMMENTS RECEIVED DURING THE FIVE-DAY PERIOD REGARDING THE POTENTIAL FISCAL IMPACTS OF THE LEGISLATIVE MEASURE ON SMALL BUSINESSES.

(II) A SMALL BUSINESS FISCAL IMPACT STATEMENT PREPARED PURSUANT TO THIS SECTION SHALL BRIEFLY STATE THE RANGE OF POTENTIAL FISCAL IMPACTS TO SMALL BUSINESSES THAT WERE CLAIMED BY COMMENTERS AND, IF SUBMITTED WITH THE COMMENTS, SHALL INCLUDE THE METHODOLOGY EMPLOYED TO CALCULATE THE CLAIMS. THE STAFF OF THE LEGISLATIVE COUNCIL SHALL NOT CONDUCT INDEPENDENT ANALYSES OR STATE CONCLUSIONS AS TO ANY COMMENTS RECEIVED.

(III) IF NO COMMENTS ARE RECEIVED, THE STAFF OF THE LEGISLATIVE COUNCIL SHALL STATE THAT FACT IN THE SMALL BUSINESS FISCAL IMPACT STATEMENT.

(c) THE STAFF OF THE LEGISLATIVE COUNCIL SHALL ATTACH THE SMALL BUSINESS FISCAL IMPACT STATEMENT TO THE FISCAL NOTE REQUIRED BY SECTION 2-2-322.

(3) IN ORDER TO REDUCE ANY COSTS IT MAY INCUR BY FULFILLING ITS DUTIES UNDER THIS SECTION, THE STAFF OF THE LEGISLATIVE COUNCIL MAY ADOPT AND APPLY, TO THE GREATEST EXTENT PRACTICABLE,

EXISTING PROCEDURES AND RESOURCES, INCLUDING THOSE PROCEDURES AND RESOURCES DEVELOPED AND UTILIZED TO COMPLY WITH SECTION 22-32-143, C.R.S.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.