

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0215.01 Esther van Mourik x4215

HOUSE BILL 12-1138

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HOUSE SPONSORSHIP

**Kefalas, Kagan**

SENATE SPONSORSHIP

**Hudak, Boyd, Guzman**

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**House Committees**  
State, Veterans, & Military Affairs

**Senate Committees**

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A BILL FOR AN ACT

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

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**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 a member of the general assembly to request the staff of the legislative council preparing the review of the fiscal impact of legislative measures introduced during any legislative session, regular or special, commencing on or after January 1, 2013, to prepare, within

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.*

existing resources, a poverty impact statement if the legislative measure has a potential impact on child, individual, or family poverty in relation to individual or community asset development domains such as:

- ! Household income, assets, and financial security;
- ! Early childhood development and preschool through postsecondary education development;
- ! Employment and workforce development;
- ! Taxes and tax credits; or
- ! Child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

The bill specifies that the poverty impact statement is intended to be a brief narrative and further sets forth specific information that must be included. The bill also gives guidance as to when the poverty impact statement must be prepared and released.

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

2 **SECTION 1.** In Colorado Revised Statutes, 2-2-322, **amend** (3)

3 (a); and **add** (4) as follows:

4 **2-2-322. Fiscal notes - definitions.** (3) (a) Each state department,  
5 agency, or institution shall cooperate with and provide information on the  
6 fiscal impact of a legislative measure in the manner requested by the staff  
7 of the legislative council for consideration by the staff in connection with  
8 the preparation of a fiscal note for the measure. EACH STATE  
9 DEPARTMENT, AGENCY, OR INSTITUTION SHALL COOPERATE WITH AND  
10 PROVIDE INFORMATION REQUESTED BY THE STAFF OF THE LEGISLATIVE  
11 COUNCIL IN PREPARATION OF ANY POVERTY IMPACT STATEMENT  
12 REQUESTED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

13 (4) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS  
14 SUBSECTION (4), A MEMBER OF THE GENERAL ASSEMBLY MAY REQUEST  
15 THE STAFF OF THE LEGISLATIVE COUNCIL TO PREPARE A POVERTY IMPACT  
16 STATEMENT AS PART OF THE FISCAL IMPACT REVIEW FOR ANY LEGISLATIVE  
17 MEASURE INTRODUCED DURING ANY LEGISLATIVE SESSION, REGULAR OR

1 SPECIAL, COMMENCING ON OR AFTER JANUARY 1, 2013, IF SUCH A  
2 MEASURE HAS A POTENTIAL IMPACT ON CHILD, INDIVIDUAL, OR FAMILY  
3 POVERTY IN RELATION TO INDIVIDUAL OR COMMUNITY ASSET  
4 DEVELOPMENT DOMAINS SUCH AS:

- 5 (I) HOUSEHOLD INCOME, ASSETS, AND FINANCIAL SECURITY;
- 6 (II) EARLY CHILDHOOD DEVELOPMENT AND PRESCHOOL THROUGH  
7 POSTSECONDARY EDUCATION DEVELOPMENT;
- 8 (III) EMPLOYMENT AND WORKFORCE DEVELOPMENT;
- 9 (IV) TAXES AND TAX CREDITS; OR
- 10 (V) CHILD AND DEPENDENT CARE, HOUSING, HEALTH CARE,  
11 NUTRITION, TRANSPORTATION, AND UTILITIES ASSISTANCE.

12 (b) NO MORE THAN SIX STATEMENTS DESCRIBED IN PARAGRAPH (a)  
13 OF THIS SUBSECTION (4) MAY BE REQUESTED DURING ANY ONE SESSION BY  
14 MEMBERS OF THE GENERAL ASSEMBLY. A MEMBER REQUESTING A  
15 STATEMENT SHALL OBTAIN PRIOR APPROVAL, ON A  
16 FIRST-COME-FIRST-SERVED BASIS, FROM THE SPEAKER AND THE MINORITY  
17 LEADER OF THE HOUSE OF REPRESENTATIVES, AND THE PRESIDENT AND  
18 THE MINORITY LEADER OF THE SENATE. IN THE EVENT THE DIRECTOR OF  
19 THE LEGISLATIVE COUNCIL DETERMINES THAT AN INCREASED NUMBER OF  
20 REQUESTED STATEMENTS MAY BE PREPARED BY THE STAFF WITHIN  
21 EXISTING RESOURCES, ANY ADDITIONAL STATEMENTS REQUESTED SHALL  
22 BE REQUESTED PURSUANT TO THE REQUIREMENTS OF THIS PARAGRAPH (b).

23 (c) A STATEMENT SHALL INCLUDE AN ESTIMATE OF ANY POTENTIAL  
24 IMPACT OF THE LEGISLATIVE MEASURE.

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

1           (e) THE STAFF OF THE LEGISLATIVE COUNCIL SHALL BE  
2 RESPONSIBLE FOR PREPARING THE STATEMENT WITHIN EXISTING  
3 RESOURCES AND MAY COLLABORATE WITH THE APPROPRIATE STATE  
4 DEPARTMENT, AGENCY, OR INSTITUTION. THE STAFF OF THE LEGISLATIVE  
5 COUNCIL MAY ALSO WORK DIRECTLY WITH THE STATE DEMOGRAPHER OR  
6 ANY OTHER NONPARTISAN OBJECTIVE ANALYSTS IN PREPARING THE  
7 STATEMENT. THE TIMING OF THE PREPARATION AND RELEASE OF THE  
8 STATEMENT SHALL COINCIDE WITH THE PREPARATION AND RELEASE OF  
9 THE FISCAL IMPACT REVIEW OF THE LEGISLATIVE MEASURE. THE  
10 STATEMENT IS INTENDED TO BE A BRIEF NARRATIVE THAT SHALL BE  
11 INCLUDED AS PART OF THE FISCAL IMPACT REVIEW.

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

14           (I) "CAPABILITY APPROACH INDEX" MEANS A MEASURE OF THE  
15 ECONOMIC CAPABILITIES OF A POPULATION THAT USES A METHODOLOGY  
16 SIMILAR TO THAT USED IN THE DEVELOPMENT OF THE HUMAN  
17 DEVELOPMENT INDEX.

18           (II) "POTENTIAL IMPACT" MEANS AN ASSESSMENT AS TO HOW  
19 IMPLEMENTATION OF A LEGISLATIVE MEASURE WOULD AFFECT ACCESS TO  
20 BASIC HUMAN SERVICES, INCLUDING, BUT NOT LIMITED TO, HEALTH CARE,  
21 HOUSING, AND EDUCATION. "POTENTIAL IMPACT" ALSO MEANS ANY  
22 QUALITATIVE OR QUANTITATIVE ANALYSIS OF THE EFFECT OF A  
23 LEGISLATIVE MEASURE ON CHILD, INDIVIDUAL, OR FAMILY POVERTY IN  
24 RELATION TO THE DOMAINS SPECIFIED IN SUBPARAGRAPHS (I) TO (V) OF  
25 PARAGRAPH (a) OF THIS SUBSECTION (4). IF A QUANTITATIVE ANALYSIS IS  
26 MADE, THE ANALYSIS MAY BE MADE BY USING POVERTY MEASURES.

27           (III) "POVERTY MEASURES" MAY INCLUDE THE FEDERAL POVERTY

1 LINE, AS DEFINED IN SECTION 2-2-1403 (2), THE SELF-SUFFICIENCY  
2 STANDARD, AS DEFINED IN SECTION 2-2-1403 (4), A SUPPLEMENTAL  
3 POVERTY MEASURE OR OTHER MEASURES INCLUDING A CAPABILITY  
4 APPROACH INDEX, OR A RANKING OF OTHER COLORADO SOCIAL  
5 DETERMINANTS THAT MAY BE USED BY STATE DEPARTMENTS, AGENCIES,  
6 OR INSTITUTIONS IN EVALUATING THE OUTCOMES AND EFFECTIVENESS OF  
7 PUBLIC POLICIES.

8 (IV) "STATEMENT" MEANS A POVERTY IMPACT STATEMENT AS  
9 DESCRIBED IN THIS SUBSECTION (4).

10 **SECTION 2. Act subject to petition - effective date.** This act  
11 takes effect at 12:01 a.m. on the day following the expiration of the  
12 ninety-day period after final adjournment of the general assembly (August  
13 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a  
14 referendum petition is filed pursuant to section 1 (3) of article V of the  
15 state constitution against this act or an item, section, or part of this act  
16 within such period, then the act, item, section, or part will not take effect  
17 unless approved by the people at the general election to be held in  
18 November 2012 and, in such case, will take effect on the date of the  
19 official declaration of the vote thereon by the governor.