

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE MISCLASSIFICATION OF EMPLOYEES AS INDEPENDENT CONTRACTORS FOR PURPOSES OF THE "COLORADO EMPLOYMENT SECURITY ACT".

Prime Sponsors: Representative Levy
Senator Heath

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Summary of Amendments Made to the Bill After the 03/31/09 Legislative Council Staff Revised Fiscal Note Was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

XXX **Concurs** **Does Not Concur** **Updated Analysis**

Amendments/Appropriation Status

This bill requires, but does not contain, an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$184,733 cash funds from the Unemployment Revenue Fund and 2.2 FTE to the Division of Employment and Training in the Department of Labor and Employment for FY 2009-10.

Bill Sponsor Amendments

Sponsor amendment **L.007** (attached) would enable the Department to charge a fee to an employer who requests an opinion on the classification of an employee, to cover the Department's expenses. This amendment would increase the revenues for the Unemployment Revenue Fund, and would not impact the expenditure portion of the fiscal note. **If L.007 is adopted, J.001 should be adopted.**

Sponsor amendment **L.008** (attached) would delete the creation of the Office of Employee Misclassification. This amendment would remove the fiscal impact of the bill, and the Department would modify the unemployment insurance system using current resources. **If L.008 is adopted J.001 should not be adopted. If both L.007 and L.008 are adopted, J.001 should not be adopted.**

Points to Consider

None.