



Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 10-0846

Date: February 5, 2010

Prime Sponsor(s): Sen. Morse

Bill Status: Senate Finance

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TITLE: CONCERNING THE REFUND OF MONEYS ERRONEOUSLY COLLECTED BY THE COLORADO DEPARTMENT OF STATE ON OR AFTER A CERTAIN DATE, AND, IN CONNECTION THEREWITH, AUTHORIZING THE STATE CONTROLLER TO ISSUE WARRANTS TO REFUND SUCH MONEYS TO THE PROPER PERSONS.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
State Expenditures		
Cash Funds		
Department of State Cash Fund	\$1,000	\$0
FTE Position Change		
Effective Date: Upon signature of the Governor or becoming law without his signature.		
Appropriation Summary for FY 2010-2011: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

The bill authorizes the State Controller to issue a refund for fees that were erroneously collected by the Secretary of State. The State Controller may issue the refund upon receipt of a voucher from the Secretary of State indicating the person and amount of the refund to be paid from the Department of State Cash Fund. Under current law, the person who is owed a refund must ask the Secretary of State to issue a refund, and the payment is issued by the Department of State.

The bill applies to fees collected by the Secretary of State on or after July 1, 2006.

State Expenditures

The Office of the State Controller in the Department of Personnel and Administration will have increased costs of \$1,000 in FY 2010-11 to issue refunds of fees paid to the Secretary of State. The Secretary of State is currently responsible for issuing its own refunds, but cannot do so unless requested by the person who originally paid the fee. This has resulted in a back log of refunds that may need to be issued by the State Controller under the bill. This analysis estimates that about 43,000 refund will be issued this year at a cost of \$0.023 per refund to the State Controller, resulting

in total costs of about \$1,000. It is assumed that any costs in future years incurred by the State Controller to issue Secretary of State refunds will be paid within existing appropriations.

State Appropriations

The bill requires an appropriation to the Department of State of \$1,000 from the department's cash fund, the entire amount of which should be reappropriated to the Department of Personnel and Administration.

Departments Contacted

Personnel and Administration State