

  
*Colorado Legislative Council Staff Fiscal Note*  
**STATE**  
**FISCAL IMPACT**

**Drafting Number:** LLS 10-0134  
**Prime Sponsor(s):** Rep. Liston  
 Sen. Steadman

**Date:** January 22, 2010  
**Bill Status:** House SVMA  
**Fiscal Analyst:** Chris Ward (303-866-5834)

**TITLE:** CONCERNING THE ISSUANCE OF IDENTIFICATION CARDS TO LOBBYISTS FOR THE PURPOSE OF ENTERING THE STATE CAPITOL BUILDING.

Fiscal Impact Summary	FY 2009-2010	FY 2010-2011	FY 2011-2012
<b>State Revenue</b>			
Cash Funds			
Legislative Department Cash Fund	potential increase	\$69,200	\$38,500
<b>State Expenditures</b>			
Cash Funds			
Legislative Department Cash Fund	potential increase	\$9,200	\$3,500
<b>FTE Position Change</b>			
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.			
<b>Appropriation Summary for FY 2010-2011:</b> See State Expenditures section.			
<b>Local Government Impact:</b> None.			

**Summary of Legislation**

This bill allows lobbyists to apply for an ID card to access the state capitol and bypass the capitol security checkpoints. To obtain an ID, lobbyists must submit to a criminal background check and pay both a fee and a surcharge. The fee must cover the cost of processing applications and issuing cards. The surcharge is set at \$100 for first-time applications and \$50 for renewals; it may be adjusted by the legislature's executive committee up to a maximum of \$300. ID cards expire on July 15 each year. Renewal applications must be submitted 60 days prior to expiration.

Criminal background checks must be conducted every 3 years in connection with the renewal of a lobbyist ID card. A lobbyist's ID card may be cancelled or a renewal application may be denied upon notification to the legislature of an unsatisfactory criminal background check, a violation of the rules, an unauthorized use of the card, or criminal activity of the lobbyist in the state capitol.

**State Revenue**

The bill is expected to increase state revenue from fees and surcharges by at least **\$69,200 in FY 2010-11**, including \$60,000 in surcharge revenue and \$9,200 in fees for ID cards and criminal history checks. This first-year impact includes both first-time applicants and the first round of

renewals, since the ID cards expire in July and must be renewed by mid-May. Beginning in FY 2011-12, revenue is expected to total \$38,500. Actual collections may differ from these estimates depending on the number of cards issued and any change in the fee and surcharge amounts. Depending on when the bill is signed into law, it could also general revenue in FY 2009-10. Table 1 outlines the impact of the bill on state revenue.

<b>Table 1. Estimated Revenue Under HB 10-1092</b>		
<b>Components</b>	<b>FY 2010-11</b>	<b>FY 2011-12</b>
Number of First-Time Applications	400	100
Number of Renewal Applications	400	500
ID Card Fee Revenue (\$20 for first-time applicants; \$3 for most renewals)	\$9,200	\$3,500
ID Card Surcharge Revenue (\$100 for first-time applicants; \$50 for renewals)	\$60,000	\$35,000
<b>TOTAL</b>	<b>\$69,200</b>	<b>\$38,500</b>

Revenue estimates are based on the following assumptions:

- there are currently 513 professional lobbyists and about 50 volunteer lobbyists;
- about 75 percent of all lobbyists will obtain an ID card in FY 2010-11 and about 90 percent will obtain an ID card in FY 2011-12;
- the fee will be set at \$20 to cover the costs of conducting criminal history checks and producing ID cards. If no criminal history check is required, the fee will be \$3; and
- the surcharge will be set at \$100 for first-time applications and \$50 for renewals.

Surcharge revenue will be credited to the Legislative Department Cash Fund; fee revenue will be credited to the Lobbyist Identification Card Account within the cash fund.

### State Expenditures

State expenditures will increase by an estimated **\$9,200 in FY 2010-11 and \$3,500 per year thereafter**, as shown in Table 2. Depending on when the bill is signed into law, it could also affect state expenditures in FY 2009-10. These costs would be paid from fees collected from lobbyists.

<b>Table 2. Expenditures Under HB 10-1092</b>		
<b>Cost Components</b>	<b>FY 2010-11</b>	<b>FY 2011-12</b>
Criminal History Checks (\$17 each)	\$6,800	\$1,700
Producing Identification Cards (\$3 each)	\$2,400	\$1,800
<b>TOTAL</b>	<b>\$9,200</b>	<b>\$3,500</b>

New ID cards are expected to be issued each year, but criminal history checks are required only every 3 years. Thus, the fiscal note assumes that, in the first year, 400 criminal history checks are performed and 800 cards are issued (400 for first-time applicants and 400 for renewals). In the second year, 100 criminal history checks are expected to be performed and 500 cards are expected to be issued (100 for first-time applicants and 500 for renewals). ID cards will be produced by the Department of Personnel and Administration (DPA); criminal history checks would be conducted by the Colorado State Patrol's Executive Security Unit in the Department of Public Safety. Costs for both of these items would be billed to the house and senate and paid from the Lobbyist Identification Card Account in the Legislative Department Cash Fund to the DPA through reappropriated funds. This account is continuously appropriated to the House of Representatives and the Senate.

It should be noted that the bill does not specifically allow for the reimbursement of the state patrol's costs from fee revenue. Without this reimbursement authority, the state patrol's costs would require a General Fund appropriation.

Moneys in the Legislative Department Cash Fund are continuously appropriated to the legislature's executive committee.

### **State Appropriations**

The Department of Personnel and Administration requires an increase of \$2,400 in reappropriated funds for FY 2010-11. The Department of Public Safety requires an increase of \$6,800 in reappropriated funds for FY 2010-11.

### **Departments Contacted**

Legislature  
Public Safety

Personnel and Administration  
State