

Colorado Legislative Council Staff Fiscal Note
**STATUTORY PUBLIC ENTITY
 FISCAL IMPACT**

Drafting Number: LLS 11-0676
Prime Sponsor(s): Rep. Ryden

Date: February 18, 2011
Bill Status: House Local Government
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING MEASURES DESIGNED TO IMPROVE THE ACCOUNTABILITY TO THE PUBLIC OF SPECIAL PURPOSE AUTHORITIES.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: July 1, 2011.		
Appropriation Summary for FY 2011-2012: None required		
Statutory Public Entity Impact: See Statutory Public Entity Impact section.		

Summary of Legislation

The bill applies the Colorado Open Records Act and open meeting requirements to special purpose authorities (authorities). In addition, the bill adds provisions on conflicts of interest for board members, officers, and employees of authorities (covered persons). Specifically, the bill prohibits authorities from making loans to covered persons and makes the person responsible for approving such a prohibited loan liable for the balance of the loan until it is repaid. It also specifies the circumstances in which a contract, transaction, or financial relationship is permitted between an authority and a covered person. The bill allows the Governor to remove a board member of an authority for various types of misconduct.

Background

Special purpose authorities are entities created in state law to serve a public purpose. An authority may either be a subdivision or instrumentality of the state and is not part of or subject to the control of any state agency or department. Some examples of special purpose authorities include PERA, the Colorado Channel Authority, the Denver Health and Hospital Authority, Pinnacle Assurance, and CoverColorado, among others.

Statutory Public Entity Impact

The bill could result in increased costs for some special purpose authorities to comply with open records requests and to publicize and conduct open meetings. Several affected special purpose authorities surveyed for this fiscal note indicated that they currently comply with these requirements and that there would not be any additional costs. However, to the extent that there are some special purpose authorities that do not currently comply with open records and meetings laws, these authorities could incur some costs.

Departments Contacted

Agriculture	Education
Law	Governor's Office
Higher Education	Judicial
Legislative Council	Natural Resources
Personnel and Administration	PERA
Office of Information Technology	RTD