



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

**Drafting Number:** LLS 12-0203  
**Prime Sponsor(s):** Rep. Ramirez  
 Sen. Roberts

**Date:** February 6, 2012  
**Bill Status:** House SVMA  
**Fiscal Analyst:** Harry Zeid (303-866-4753)

**TITLE:** CONCERNING A PROHIBITION ON THE USE OF PUBLIC LAND FOR RETAIL SALES.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue	Potential Future Revenue Loss	
State Expenditures		
FTE Position Change		
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.		
<b>Appropriation Summary for FY 2012-2013:</b> None required.		
<b>Local Government Impact:</b> See the Local Government Impact section.		

**Summary of Legislation**

The bill prohibits any public entity from operating, or contracting with a private entity to operate, for public use any truck stop, fueling station, or convenience store on or near public land, state highways, toll roads, or any other similar infrastructure supported by any state revenue. A public entity is defined to mean the state, any state agency, or any political subdivision of the state, including counties, municipalities, and special districts.

The bill does not prohibit a public entity from maintaining existing interstate public rest areas or constructing new interstate public rest areas as allowed by law. The prohibition is not retroactive and does not affect existing interstate public rest areas.

**State Revenue**

The primary state revenue impact of the bill is for the potential of reduced future sales and income tax revenue from facilities that may not be built or operated by a private entity on public land.

**Higher Education.** Most institutions of higher education operate bookstores, food service outlets, and other retail outlets on campus, such as movie theaters. If the bill limits a higher education campus from opening new convenience store outlets, revenue to the institution would be negatively affected. For example, Colorado State University could lose net profit of approximately

\$50,000 per year (plus the loss of student employment opportunities) from each future convenience store that may not be allowed on their campuses under the bill. Other institutions could experience a similar revenue loss.

*Department of Natural Resources.* The Division of Parks and Wildlife operates a number of fueling stations at marinas in state parks across the state. The bill may prevent the construction of new state-owned fueling stations at locations that do not currently offer these facilities to the public. It is unclear whether the bill will prevent future expansion of existing state-managed fueling facilities. A limited number of fueling facilities are scheduled for expansion over the next five years as part of the division's capital development plan.

### **Local Government Impact**

As with state revenue, the bill presents the potential for reduction in future local revenue from the standpoint that certain local facilities may not be leased or constructed (e.g., convenience items vended at local recreation centers) and future local revenue from those sources may not occur. No specific examples have been identified.

### **Departments Contacted**

All Departments