

*Colorado Legislative Council Staff Fiscal Note*  
**NO FISCAL IMPACT**

---

<b>Drafting Number:</b> LLS 12-0349	<b>Date:</b> January 24, 2012
<b>Prime Sponsor(s):</b> Sen. White Rep. McCann	<b>Bill Status:</b> Senate Finance
	<b>Fiscal Analyst:</b> Ron Kirk (303-866-4785)

---

**TITLE:** CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION BENEFITING THE 9HEALTH FAIR FUND TO APPEAR ON THE STATE INDIVIDUAL INCOME TAX RETURN FORMS.

**Summary of Legislation**

For tax years 2008 through 2010, the 9Health Fair Fund checkoff program appeared on the individual income tax form. However, during the third year, the fund did not receive the minimum level of contributions (\$75,000) required to remain on the form. This bill places the 9Health Fair Fund at the end of the queue of tax checkoffs awaiting to be placed on the form, so that when space is available, the 9Health Fair Fund will be last in the queue. Money from the 9Health Fair Fund is used to provide money for free and low-cost health screening and education through volunteer-run, community-initiated programs. Table 1 provides a three-year history of money donated to the fund.

**Table 1. 9Health Fair Fund Donations**

Tax Years	Number of Returns	Total Donations	Average Donations
2008	7,499	\$53,814	\$7.18
2009	6,756	50,283	7.44
2010	7,626	67,504	8.85

The bill takes effect August 7, 2012, assuming the General Assembly adjourns May 9, 2012, as scheduled and no referendum petition is filed.

**Background.** During the 2011 session, the legislature made changes to the income tax checkoff programs that established a priority order for newly-created checkoffs to appear on the income tax form. Currently, there are 15 checkoff programs on the 2011 form, the maximum allowed by law.

To ensure that the 15-checkoff cap is not exceeded, the priority order system specifies that continued or renewed programs take precedence over newly-created programs. Thus, if a program that has appeared on the form is renewed or continued and has sufficient donations of at least \$75,000, the program remains on the form in the subsequent tax year. Newly-created programs can only appear on the tax form when an existing program is removed, either by failing to meet the required threshold on collections or by a legislative change. If more than one program is placed in a queue, the order of programs is determined by the date and time that the Governor signs the bill creating the new program.

Table 2 shows the order of newly-created programs adopted during the 2011 legislative session that may be added to the 2012 and subsequent tax year forms should programs on the 2011 form drop off due to low donation levels or legislative changes.

**Table 2: Newly Created Checkoff Programs**

Order in Queue	Program	Signed into Law	
		Date	Time
(1) House Bill 11-1295	Multiple Sclerosis Fund	05/27/11	4:06 p.m.
(2) Senate Bill 11-109	Public Education Fund	06/02/11	5:17 p.m.
(3) House Bill 11-1071	Roundup River Ranch Fund	06/06/11	4:35 p.m.

**Assessment**

Because programming costs for this program were completed when the 9Health Fair Fund program first appeared on the 2008 income tax form, this bill will not affect state revenue or expenditures and is thus assessed as having no fiscal impact. Since there are three newly-created checkoff programs in the queue from the 2011 legislative session, the 9Health Fair Fund program will be fourth in the queue if no other new programs are created in the 2012 session.

**Departments Contacted**

Revenue