


Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 12-0682
Prime Sponsor(s): Rep. Ryden
 Sen. Spence

Date: February 10, 2012
Bill Status: House Judiciary
Fiscal Analyst: Kelli Kelty (303-866-3518)

TITLE: CONCERNING THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO ALLOW LICENSED PRIVATE INVESTIGATORS ACCESS TO CERTAIN MOTOR VEHICLE RECORDS FOR SPECIFIED PURPOSES.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue	Potential Increase	
State Expenditures	See State Expenditures section	
FTE Position Change		
Effective Date: August 8, 2012, assuming the General Assembly adjourns May 9, 2012, as scheduled and no referendum petition is filed.		
Appropriation Summary for FY 2012-2013: None required.		
Local Government Impact: None.		

Summary of Legislation

The bill requires private investigators, private investigative agencies, and security services to be licensed in order to access driver's licenses and motor vehicle registration information.

Background

Colorado does not currently require private investigators to be licensed to access drivers' license and motor vehicle registration information. In addition, Colorado law does not require the licensing of private investigative agencies or security services.

House Bill 11-1195, which was signed into law on June 10, 2011, established a voluntary licensure program for private investigators. Under the bill, beginning July 1, 2012, only individuals who meet certain requirements and have been issued a voluntary state license may use the term "licensed private investigator." The licensing program is repealed, effective July 1, 2016, following a sunset review.

State Revenue

The bill is expected to increase revenue from fees to the Department of Regulatory Agencies (DORA) in FY 2012-13. Fees for licensure are credited to the Division of Registration Cash Fund at the DORA; fees for fingerprint-based criminal history background checks are credited to the Identification Unit Cash Fund in the Department of Public Safety (DPS).

License fee impact on private investigators. While fees for licensure are expected to increase as more private investigators become licensed in order to gain access to drivers' license and motor vehicle registration information, the exact increase in revenue was not known at the time this fiscal note was written. The note will be updated to reflect this information when it becomes available.

Criminal history check fee impact. While the fiscal note assumes that there will be an increase in fingerprint-based criminal history background checks conducted by the DPS as more private investigators become licensed, the exact increase was not known at the time this fiscal note was written. The note will be updated to reflect this information when it becomes available. The DPS charges a fee of \$39.50 per applicant.

State Expenditures

The Department of Revenue (DOR) currently allows individuals who are not licensed by the state to inspect drivers' license and motor vehicle registration information. While the bill will require the DOR to update department rules, forms, manuals, and websites, the increase in department workload is minimal and will not require an adjustment in appropriations for any state agency.

Departments Contacted

Regulatory Agencies Revenue