

**STATE
FISCAL IMPACT**

Drafting Number: LLS 13-0980
Prime Sponsor(s): Rep. Ryden
 Sen. Giron

Date: April 11, 2013
Bill Status: House SVMA
Fiscal Analyst: Kerry White (303-866-3469)

TITLE: CONCERNING EMPLOYMENT POLICIES RELATED TO NONCLASSIFIED EMPLOYEES OF THE STATE.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
State Expenditures	Minimal reduction - see State Expenditures section.	
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2013-2014: None required.		
Local Government Impact: None.		

Summary of Legislation

Amendment S was approved by Colorado voters in the general election of November 2012. Among its many provisions, this constitutional amendment allows the state personnel director of the Department of Personnel and Administration (DPA) to exempt the following positions from the classified personnel system provided the total exemptions does not exceed 1 percent of the total number of employees in the system:

- members of the senior executive service (SES);
- deputy executive directors;
- chief financial officers;
- public information officers;
- legislative liaisons;
- human resources directors; and
- executive assistants to department heads.

House Bill 13-1298 aligns state law with the constitutional changes approved under Amendment S. It clarifies that affected employees are not entitled to anniversary-based merit pay increases. Instead, the salary for these positions is based on DPA policy. The bill also specifies that persons in SES positions have no right to any position within the state. Finally, the bill repeals language that allows SES positions to appeal certain dismissal decisions to the State Personnel Board.

State Expenditures

By clarifying how certain rights and pay policies apply to affected positions, this bill may reduce state workload for the State Personnel Board in the future. This reduction is anticipated to be minimal and will not require a reduction in appropriations. Anniversary-based merit pay is a specific type of pay increase that has not been utilized since approximately 1999. As a result, this provision has no fiscal impact.

Departments Contacted

Personnel and Administration