

JBC STAFF FISCAL ANALYSIS HOUSE APPROPRIATIONS COMMITTEE

CONCERNING DISCLOSURE OF INFORMATION FOR ASSET RECOVERY.

Prime Sponsors: Representative Coram
Senator Hodge

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Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 02/20/14.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$233,358 from the Judgement Debtor Disclosure Fund and 4.0 FTE to the Department of Labor and Employment (CDLE) and an appropriation of \$299,394 from the Judicial Stabilization Cash Fund and 3.0 FTE to the Judicial Department in FY 2014-15. Of the amount appropriated to the CDLE, \$20,000 is reappropriated to the Office of Information Technology.

Points to Consider

Revenue Source

- The bill authorizes CDLE to charge a reasonable fee that reflects its actual costs of processing disclosure orders. The appropriation to CDLE for FY2014-15 and the estimated costs for FY 2015-16 both exceed the fee revenue estimate of \$220,000 that is based on a fee of \$5.50 [see page 3 of the attached Fiscal Note]. Staff assumes that CDLE will establish

a fee that is sufficient to cover the appropriation for FY 2014-15 and annual expenditures in subsequent fiscal years.

Technical Issues

2. As the fiscal note states, the Unemployment Insurance (UI) program is subject to various statutory controls including Section 8-72-107 (1), C.R.S., which states the information "shall be held confidential and shall not be published or be open to inspection. . . in any manner revealing the individual's or employing unit's identity." The bill requires that entities receiving disclosures provided by it comply with federal regulations (20 C.F.R. 603.9) safeguarding the information but is that sufficient to avoid conflict with state statute? Should the General Assembly amend the bill to explicitly include these disclosures in the exemptions allowed in Section 8-72-107 (1), C.R.S.?