

Colorado Legislative Council Staff Fiscal Note

**STATE
FISCAL IMPACT**

Drafting Number: LLS 15-0194	Date: February 9, 2015
Prime Sponsor(s): Sen. Lundberg Rep. Becker K.	Bill Status: Senate Health & Human Services Fiscal Analyst: Clare Pramuk (303-866-2677)

BILL TOPIC: SUNSET COMPLIANCE ADVISORY PANEL

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017	
This bill changes and continues a program that would otherwise repeal July 1, 2015, so the fiscal note shows the new and continuing fiscal impacts.	New	New	Continuation
State Revenue			
State Expenditures			Workload increase.
FTE Position Change			
Appropriation Required: None.			

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

This bill implements the recommendations of the Department of Regulatory Agencies' 2014 sunset review of the Compliance Advisory Panel (CAP) for the Air Pollution Control Division in the Department of Public Health and Environment (DPHE), and continues the CAP until September 1, 2026. The bill clarifies that the role of the CAP is to advise rather than oversee the Small Business Assistance Program (SBAP), and extends the length of CAP members from two to three years.

Background

The CAP was created by Senate Bill 90-097 following the enactment of the federal Clean Air Act Amendments of 1990. The Clean Air Act requires states to establish a technical and environmental compliance assistance program to serve stationary sources which are small businesses that are subject to air pollution regulations. The DPHE has three separate but interdependent entities to provide small business compliance assistance: the SBAP, the Small Business Ombudsman (SBO), and the CAP. The CAP advises both the SBAP and the SBO.

The seven-member CAP consists of:

- four legislatively appointed members who own or represent owners of small business stationary sources;
- two governor-appointed members to represent the public; and
- one member selected by the executive director of the DPHE.

Fiscal Impact of Programs Set to Expire

The CAP does not have a budget and members are not compensated, but the CAP receives a minimal amount of support from DPHE staff. Under current law, state agencies may be appropriated funds to wind up the affairs of an expiring program for 12 months following the repeal date. To account for the wind-up period, the impact of extending the program beyond the current repeal date is shown as beginning in FY 2016-17, one year after the repeal date. Because the bill extends the CAP for 11 years, DPHE staff will continue to have workload to support the CAP beginning in FY 2016-17.

Effective Date

The bill takes effect July 1, 2015.

State and Local Government Contacts

Public Health and Environment