

## Colorado Legislative Council Staff Fiscal Note

# STATE and LOCAL FISCAL IMPACT

<b>Drafting Number:</b> LLS 15-0392	<b>Date:</b> March 25, 2015
<b>Prime Sponsor(s):</b> Sen. Marble	<b>Bill Status:</b> Senate SVMA
Reps. Salazar, Everett	<b>Fiscal Analyst:</b> Kerry White (303-866-3469)

**BILL TOPIC:** BAN REGULATORY AGENCY FIREARMS & SPECIAL OPS

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	Minimal 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 requires that federal agencies provide at least 24 hours notice to county and local law enforcement agencies prior to deploying a specialized unit within that government's jurisdiction. It also prohibits a state regulatory agency from purchasing firearms, or an employee of that agency from using a firearm, for the purposes of enforcement actions. The bill defines a state regulatory agency as any state agency except the Colorado State Patrol, the Department of Corrections, the Colorado Bureau of Investigation, the Division of Homeland Security and Emergency Management in the Department of Public Safety, criminal investigative units within the Attorney General's Office, campus police for state institutions of higher education, and the Division of Parks and Wildlife.

Beginning on January 1, 2016, the Governor's Office is required to prepare an annual report each January 1 certifying that no state regulatory agency has purchased firearms, or explaining why any state regulatory agency may have made such purchases as part of a specialized unit acting within state law.

**State Expenditures**

This bill will increase workload within the Governor's Office by a minimal amount to prepare the annual report concerning firearms within state regulatory agencies. No change in appropriations is required to complete the report.

**Local Government Impact**

To the extent that this bill changes notification procedures among federal agencies and by receiving advance notice of federal agency operations within their jurisdictions, this bill may both increase or reduce workload and costs for units of local government. If an agency was not previously aware of the deployment, the bill could reduce workload and costs by avoiding reacting



to the event. Conversely it may increase workload and costs for agencies that choose to provide resources to support the event. The fiscal note assumes any increases or decreases in workload or costs are minimal.

### **Technical Note**

Certain employees within the Department of Revenue carry and use firearms, including criminal investigators and state lottery investigators. Under current law (see Part 1 of Section 2.5 in Title 16, Colorado Revised Statutes), these positions are classified as peace officers and all current employees are certified as such by the Peace Officers Standards and Training (POST) Board. For purposes of this analysis and because the bill does not alter the definitions for these positions, the fiscal note assumes that these employees will continue to carry and use firearms as part of their official duties. If the intent of the bill is to remove the ability of these positions to carry firearms, further statutory clarification may be required.

### **Effective Date**

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

### **State and Local Government Contacts**

All Departments