

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING AUTHORIZATION OF DOMESTIC PARTNERSHIPS BETWEEN SAME-SEX COUPLES, AND, IN CONNECTION THEREWITH, CREATING THE "COLORADO DOMESTIC PARTNERSHIP BENEFITS AND RESPONSIBILITIES ACT" TO EXTEND BENEFITS, PROTECTIONS, AND RESPONSIBILITIES TO SUCH COUPLES, AND MAKING AN APPROPRIATION.

Prime Sponsors: Representative Plant
Senator Fitz-Gerald

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Date Prepared: April 25, 2006

Summary of Amendments Made to the Bill After the April 24, 2006 Legislative Council Staff Revised Fiscal Note was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs **Does Not Concur** **Updated Analysis**

Reason for the Update

The \$32,225 legal services expenditure projection in the April 24, 2006, Legislative Council Staff Revised Fiscal Note is based upon the FY 2005-06 blended legal services rate of \$64.45. Staff has updated the legal services appropriation to \$33,885 to reflect the FY 2006-07 blended legal services rate of \$67.77 that is contained in the FY 2006-07 Long Bill. The corresponding FY 2006-07 expenditures are \$58,052 General Fund for the Department of Regulatory Agencies and \$33,885 cash funds exempt for the Department of Law. The FTE changes in the Fiscal Note are not affected.

Amendments/Appropriation Status

Note: Joint Budget Committee staff has consulted with the Office of Legislative Legal Services and has concluded that this bill could be submitted to voters with or without an appropriation clause; either approach would be acceptable. If the measure goes to voters without an appropriation and is then approved, an appropriation would need to be included in the implementing legislation.

The bill currently contains an appropriation clause that provides \$58,052 General Fund and 0.5 FTE to the Department of Regulatory Agencies and \$33,885 cash funds exempt and 0.2 FTE to the

Department of Law. The appropriation is for FY 2006-07. The cash funds exempt appropriation to the Department of Law is out of the appropriation to the Department of Regulatory Agencies. This corresponds to the appropriation indicated in the April 24, 2006, Legislative Council Staff Revised Fiscal Note as modified in the "Reasons for the Update" section above.

Note that this measure will be referred to voters so no appropriation is required for the costs of publishing this measure in newspapers or for the cost of producing and distributing the 2006 Blue Book. The FY 2006-07 Long Bill appropriation for ballot analysis, along with the balance in the Ballot Information Publication and Distribution Revolving Fund, will provide sufficient funding to cover such costs.

Sponsor Amendments

Staff is not aware of any sponsor amendments to be offered.

Points to Consider

1. Domestic partners would qualify as dependents under this bill. The April 24, 2006 Legislative Council Staff Revised Fiscal Note estimates the state share of expenditures for domestic partners as a new group of eligible dependents at \$195,200. Since the distribution and amount of these added expenditures among state agencies is unknown, it is impossible to make a corresponding appropriation at the current time. These expenditures would be included in future Long Bill appropriations once the amount and distribution becomes known. The funding source would be a combination of General Fund, cash funds and federal funds.
2. The Joint Budget Committee has introduced a budget package for FY 2006-07 based on the March 2006, Legislative Council Staff revenue forecast. The budget package appropriates the maximum amount of General Fund allowed pursuant to the statutory six percent limit on General Fund appropriations, less \$10.0 million. This bill requires \$58,052 in additional General Fund appropriations for FY 2006-07; this appropriation is subject to the six percent statutory limit on General Fund appropriations. If this bill becomes law in conjunction with other bills that require more than a total of \$10.0 million General Fund for FY 2006-07, the General Assembly will exceed the statutory limit on General Fund appropriations.