

Colorado Legislative Council Staff

STATE

CONDITIONAL FISCAL IMPACT

Drafting Number: LLS 03-0756

Date: February 3, 2003

Prime Sponsor(s): Rep. Lee

Bill Status: House State Affairs

Fiscal Analyst: Steve Tammeus (303-866-2756)

TITLE: CONCERNING DECLARATIONS OF A STATE OF EMERGENCY, AND, IN CONNECTION THEREWITH, TERMINATING EXISTING STATES OF EMERGENCY AND ESTABLISHING PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THE FUTURE DECLARATION OF A STATE OF EMERGENCY.

Fiscal Impact Summary	FY 2003/2004	FY 2004/2005
State Revenues General Fund		
State Expenditures General Fund		
FTE Position Change	0.0 FTE	0.0 FTE
Other State Impact: None		
Effective Date: July 1, 2003		
Appropriation Summary for FY 2003/2004: None		
Local Government Impact: None		

Summary of Legislation

This bill terminates any existing state of emergency currently in effect that has been declared by any branch of state government and that has resulted in the exercise of extraordinary powers by the Governor or any other office of the state unless extended by the legislature at the request of the Governor.

The bill specifies certain conditions which must be met in order to declare an emergency at the state level. In the event the conditions occur when the General Assembly is in session, the bill requires the Governor to submit a written request to the General Assembly, and further requires the General Assembly to consider the request as a joint resolution on an expedited basis. A state of emergency shall be declared upon approval by a two-thirds majority of all members of both houses of the General Assembly.

In the event the conditions occur when the General Assembly is not in session, the bill authorizes the Governor to declare a state of emergency and then requires the Governor to convene a special session of the General Assembly. The bill requires the General Assembly to ratify the

Governor's declaration by joint resolution. A state of emergency shall be declared upon approval by a two-thirds majority of all members of both houses of the General Assembly. The bill prescribes procedures to extend the time period for the state of emergency.

The bill repeals statutory provisions authorizing the Governor to prohibit certain activities in connection with firearms and ammunition in the event of a riot, insurrection, or invasion, and requiring any person to obtain a permit from the Governor to undertake certain activities in connection with any firearm or ammunition in such circumstances.

State Expenditures

Legislative Department. This bill authorizes the Governor to convene the General Assembly for a special session during the legislative interim to consider a joint resolution to ratify a declaration of a state of emergency. Legislative per diem and expense costs for the 100 members of the General Assembly are estimated to be \$15,143 per day. The department's budget currently is sufficient to cover the costs of up to 20 special session days per year. Therefore, this bill is not anticipated to affect current state appropriations unless the number of special session days exceeds 20 per year.

State Appropriations

No new state appropriations would be required for FY 2003-04.

Departments Contacted

OSPB	Judicial	Law	Public Safety
Legislative Legal Services			Legislative Council Staff