

Colorado Legislative Council Staff Fiscal Note

**STATE and LOCAL
REVISED FISCAL IMPACT**

(replaces fiscal note dated March 3, 2014)

Drafting Number: LLS 14-0315 **Date:** March 19, 2014
Prime Sponsor(s): Rep. Salazar **Bill Status:** Senate Second Reading
 Sen. Kefalas **Fiscal Analyst:** Bill Zepernick (303-866-4777)

SHORT TITLE: RESEARCH RETRIEVAL FEES PUBLIC RECORDS UNDER CORA

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue	Minimal decrease - Multiple agencies.	
State Expenditures	Minimal increase.	
FTE Position Change		
Appropriation Required: None.		

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

Summary of Legislation

The **reengrossed bill, as amended by the Senate SVMA Committee**, places the following limits on custodians of public records under the Colorado Open Records Act (CORA):

- requires that the first hour of research and retrieval for a CORA request be provided at no cost to the requester; and
- limits the fee that custodians may charge for research and retrieval of records beyond the first hour to \$30 per hour, as adjusted for inflation every five years; and
- requires custodians to post fees and policies concerning research and retrieval of documents on the custodian's website or otherwise published in order to charge fees to requesters.

State Revenue

The bill is expected to decrease fee revenue from CORA requesters to some state agencies that currently charge fees of more than \$30 per hour. Generally, this impact is expected to be minimal, as discussed below.

Potential change in research and retrieval fees. Agencies that charge less than \$30 per hour will have no change in CORA fee revenue; agencies that charge more than this amount will be required to lower their fees to within the limit specified by the bill, which will reduce fee revenue to these agencies. Given that most state agencies have research and retrieval fees between \$20 and \$30 per hour and provide one hour of research and retrieval for free, the impact to any given agency is expected to be minimal.

State Expenditures

The bill may increase workload in state agencies by a small amount to update CORA fees and policies to comply with the bill and to post policies on their web sites in order to collect fees. Legislative Council Staff will also be required to calculate the inflation adjustment for the research and retrieval fee cap every five years. These tasks are expected to minimally increase workload and no new appropriations are required.

Local Government Impact

To the extent that any local governments charge CORA fees higher than \$30 per hour or do not provide for one hour of research and retrieval at no cost to requesters, these local governments will have reduced revenue from CORA fees. Local governments may also have a small amount of workload to update CORA policies and to publish policies on their web sites. Local governments that charge less than \$30 per hour for research and retrievals and provide the first hour of research and retrieval at no cost will not be significantly affected by the bill.

Effective Date

The bill takes effect July 1, 2014.

State and Local Government Contacts

All Departments