SB10-143

Colorado Legislative Council Staff Fiscal Note

STATE
REVISED FISCAL IMPACT

(replaces fiscal note dated February 25, 2010)

Drafting Number:	LLS 10-0846	**Date:**	March 19, 2010
Prime Sponsor(s):	Sen. Morse Rep. Scanlan	**Bill Status:**	House Finance
		Fiscal Analyst:	Bill Zepernick (303-866-4777)

TITLE: CONCERNING THE REFUND OF MONEYS ERRONEOUSLY COLLECTED BY THE COLORADO DEPARTMENT OF STATE ON OR AFTER A CERTAIN DATE, AND, IN CONNECTION THEREWITH, AUTHORIZING THE STATE CONTROLLER TO ISSUE WARRANTS TO REFUND SUCH MONEYS TO THE PROPER PERSONS, AND MAKING AN APPROPRIATION.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
State Expenditures Cash Funds Department of State Cash Fund	$1,000	$0
FTE Position Change		
Effective Date: Upon signature of the Governor or becoming law without his signature.		
Appropriation Summary for FY 2010-2011: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

The ***reengrossed bill*** authorizes the State Controller to issue a refund for fees that were erroneously collected by the Secretary of State. The State Controller may issue the refund upon receipt of a voucher from the Secretary of State indicating the person and amount of the refund to be paid from the Department of State Cash Fund. The bill also sets conditions for transferring these funds to the Unclaimed Property Trust Fund. Under current law, the person who is owed a refund must ask the Secretary of State to issue a refund, and the payment is issued by the Department of State.

The bill applies to fees collected by the Secretary of State prior to July 1, 2006, and is repealed on July 1, 2011.

State Expenditures

The Office of the State Controller in the Department of Personnel and Administration will have increased costs of $1,000 in FY 2010-11 to issue refunds of fees paid to the Secretary of State. The Secretary of State is currently responsible for issuing its own refunds, but cannot do so unless

requested by the person who originally paid the fee. This has resulted in a back log of refunds that may need to be issued by the State Controller under the bill. This analysis estimates that about 43,000 refund will be issued this year at a cost of $0.023 per refund to the State Controller, resulting in total costs of about $1,000.

State Appropriations

The bill requires an appropriation to the Department of State of $1,000 from the Department of State Cash Fund, the entire amount of which should be reappropriated to the Department of Personnel and Administration.

Departments Contacted

Personnel and Administration	State