

**Legislative  
Council Staff***Nonpartisan Services for Colorado's Legislature***FISCAL NOTE****Drafting Number:** LLS 18-0703  
**Prime Sponsors:** Sen. Moreno**Date:** January 19, 2018  
**Bill Status:** Senate Judiciary  
**Fiscal Analyst:** Kerry White | 303-866-3469  
Kerry.White@state.co.us**Bill Topic:** SNOW REMOVAL SERVICE LIABILITY LIMITATION**Summary of  
Fiscal Impact:**  State Revenue (*minimal*)  TABOR Refund  
 State Expenditure (*minimal*)  Local Government  
 State Transfer  Statutory Public Entity

The bill voids provisions of snow removal contracts that currently limit the liability of the parties to the contract. Beginning in FY 2018-19, the bill may increase state revenue and workload for the Judicial Department by a minimal amount. These impacts are ongoing.

**Appropriation  
Summary:** No appropriation is required.**Fiscal Note  
Status:** The fiscal note reflects the introduced bill.**Summary of Legislation**

This bill creates the "Snow Removal Service Liability Limitation Act" and voids any snow removal and ice control services contract if it requires one party to the contract to:

- indemnify the other party for damages;
- hold the other party harmless for damages; and
- provide for the defense of the other party in a liability lawsuit.

Contracts for snow removal or ice control on public roads, within public bodies, with a public utility, or an insurance policy, as surety bond, or workers' compensation, are exempt.

**State Revenue and Expenditures**

By voiding contract language that limits the ability of one party to a snow removal or ice control contract to sue another party, court filings may increase in FY 2018-19 and future years. To the extent this occurs, state cash fund revenue and workload for the trial courts will increase. The fiscal note assumes that these impacts are minimal and do not require a change in appropriations for the Judicial Department.

### **TABOR Refund**

The bill may increase state revenue subject to TABOR by a minimal amount in FY 2018-19 and future years. State revenue is not currently expected to exceed the TABOR limit in either year and no refund is required. Therefore, the bill is not expected to impact TABOR refunds in these years. However, refunds in future years when the state next collects a TABOR surplus will be increased.

### **Effective Date**

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed. It applies to snow removal and ice control services contracts entered into on or after this date.

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

Counties	Higher Education	Information Technology
Judicial	Municipalities	Personnel
Regulatory Agencies	Transportation	