



Legislative Council Staff

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Fiscal Note

Drafting Number: LLS 23-0746
Prime Sponsors: Rep. Taggart

Date: February 14, 2023
Bill Status: House Trans. & Local Govt.
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Bill Topic: PUBLIC AIRPORT AUTHORITY ACT MODERNIZATION

Summary of Fiscal Impact:

- | | |
|-------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input checked="" type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill makes various changes to the public airport authority code. Beginning in FY 2023-24, the bill may affect state and local government workload and local expenditures on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

This bill amends the public airport authority (PAA) code in a number of ways. Significantly, this bill:

- requires a local government that terminates a PAA to assume all outstanding financial and contractual obligations, assume the operations and maintenance of the airport, and take full fee title ownership;
- clarifies that members of a PAA board of commissioners do not receive compensation;
- requires a majority vote of a PAA board of commissioners to authorize expenditures greater than \$250,000;
- authorizes a PAA to remove hazards and encroachments, impose fees on airport users, and regulate commercial activities conducted within a PAA;
- allows a PAA to request a county or municipality to levy a tax for the authority's benefit;
- clarifies that tenants or users of a PAA airport are not entitled to the tax exemptions that apply to airport authorities; and
- modifies the definition of "local government official" to include a member of the board of commissioners of any PAA.

State Expenditures

The Department of Local Affairs may have a workload impact under the bill. Currently, PAAs are required terminations with the Division of Local Government. This bill removes that requirement, which will require the division to update its inventory of local governments without that notification.

Local Government

Beginning in FY 2023-24, the bill may increase revenue to PAAs that request a tax be levied on a county or municipality. The bill also eliminates any current expenditure involving compensation of PAA board members. In the event that a county or municipality terminates a PAA, that county or municipality could see an increase in workload and expenditure as a result of taking on the debt, obligations, and fee title of a PAA.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	Judicial	Local Affairs
Law	Municipalities	Special Districts
Transportation	Information Technology	