



Legislative
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SB 20B-007

**FINAL
FISCAL NOTE**

Drafting Number: LLS 20B-0042
Prime Sponsors: Sen. Gardner

Date: December 7, 2020
Bill Status: Postponed Indefinitely
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Bill Topic: **EMERGENCY PUBLIC HEALTH ORDER PROCEDURAL REQUIREMENTS**

**Summary of
Fiscal Impact:**

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

This bill would have required that a state agency follow the administrative procedures for emergency rules when issuing an emergency public health order and to provide notice and a hearing before extending the order past the 120-day limit on emergency rules. State expenditures would have increased conditional upon the necessity of issuing an emergency public health order.

**Appropriation
Summary:**

No appropriation would have been required.

**Fiscal Note
Status:**

The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

This bill requires that a state agency follow the Administrative Procedures Act (APA) requirements for emergency rules when issuing an emergency public health order. To extend the order past the 120-day limit on emergency rules, the agency is required to provide notice and conduct a hearing under the APA.

State Expenditures

This bill will increase expenditures for the Department of Public Health and Environment (CDPHE) conditioned on the need to issue an emergency public health order. Prior to the COVID19 pandemic, the CDPHE issued very few emergency public health orders. Costs to provide notice and conduct a rulemaking hearing are estimated at approximately \$12,000 per hearing. If the issuance of emergency orders becomes more frequent even after the pandemic is under control, the CDPHE may seek additional funding through the annual budget process.

Effective Date

The bill was postponed indefinitely by the Senate Finance Committee on December 1, 2020.

State and Local Government Contacts

Governor
Personnel

Information Technology
Public Health and Environment

Law