



Legislative  
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**SB 20-166**

# FINAL FISCAL NOTE

**Drafting Number:** LLS 20-1049  
**Prime Sponsors:** Sen. Moreno  
Rep. Esgar

**Date:** August 14, 2020  
**Bill Status:** Signed into Law  
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**Bill Topic:** **SIMPLIFYING REQUIREMENTS FOR NEW BIRTH CERTIFICATE**

**Summary of Fiscal Impact:**

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

The bill eliminates certain requirements for a minor to obtain new identification documents to reflect a change in gender designation. The bill may increase state revenue and workload beginning in FY 2020-21.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** This fiscal note reflects the enacted bill.

## Summary of Legislation

Under current law, for a person under the age of 18 to obtain new identification documents, including a birth certificate, driver's license, identification card, or instruction permit, that reflects a change in gender designation, the Colorado Department of Public Health and Environment (CDPHE) must receive a request and statement from the minor's parents, guardian, or legal representative. Additionally, the CDPHE must receive a statement from a professional medical or mental health care provider that either the minor has undergone treatment for gender transition or the person has an intersex condition, and that in the provider's professional opinion, the minor's gender designation should be changed accordingly.

Under the bill, for a person under the age of 18 to obtain a new birth certificate, the CDPHE must receive:

- a written request from the minor's parent, legal guardian, or legal representative to issue a new birth certificate with a gender designation that differs from the sex designated on the minor's original birth certificate; and
- a statement from a professional medical or mental health care provider stating that the sex designation on the original birth certificate does not align with the minor's gender identity.

Additionally, for an individual under the age of 18 to receive new identification documents from the Department of Revenue (DOR), including a driver's license, identification card, or instruction permit, the DOR must receive either a new birth certificate or the documentation cited above.

**State Revenue and Expenditures**

The bill may minimally increase state revenue and workload beginning in FY 2020-21 resulting from additional identification document requests to the CDPHE and DOR.

The state registrar, within the CDPHE, charges a fee of \$20 to issue or amend a birth certificate, and a fee of \$13 for additional copies ordered at the same time. For the various identification documents offered by DOR that are subject to the bill, the fee ranges from \$11.50 to \$33.00 to issue a new copy. To the extent that the bill results in additional identification document requests, revenue will increase to the Vital Records Cash Fund in the CDPHE and the License Services Cash Fund in the DOR. The bill also minimally increases workload in the CDPHE and DOR to update procedures and process additional identification document requests.

**Tabor refund.** Under the March 2020 LCS Economic and Revenue Forecast, the state is not expected to collect revenue above the TABOR limit in either FY 2020-21 or FY 2021-22, and refund obligations are not anticipated for these years. This bill does not change these expectations concerning refunds to taxpayers.

**Effective Date**

This bill was signed into law by the Governor and took effect on July 13, 2020.

**State and Local Government Contacts**

Counties	County Clerks	Information Technology
Judicial	Public Health and Environment	Revenue