



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 26-078: CHANGES TO INSTITUTIONS OF HIGHER ED STATUTES

Prime Sponsors:

Sen. Amabile; Kirkmeyer
Rep. Smith; Taggart

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Published for: House Appropriations

Drafting number: LLS 26-0694

Version: Third Revised Note

Date: May 5, 2026

Fiscal note status: This revised fiscal note reflects the reengrossed bill, as amended by the House Education Committee.

Summary Information

Overview. The bill makes several changes to higher education statutes related to data sharing, building maintenance, fiscal analyses, and capital construction.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures

Appropriations. For FY 2026-27, the bill requires an appropriation of \$48,098 to the Department of Higher Education.

**Table 1
State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures	\$59,111	\$52,111
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.5 FTE	0.5 FTE

Fund sources for these impacts are shown in the table below.

**Table 1A
State Expenditures**

Fund Source	Budget Year FY 2026-27	Out Year FY 2027-28
General Fund	\$48,098	\$41,098
Cash Funds	\$0	\$0
Federal Funds	\$0	\$0
Centrally Appropriated	\$11,013	\$11,013
Total Expenditures	\$59,111	\$52,111
Total FTE	0.5 FTE	0.5 FTE

Summary of Legislation

The bill makes several changes to higher education statutes related to data sharing, building maintenance, capital construction, fiscal analyses, and revenue bonds.

Data

The bill codifies the Data Advisory Group (DAG) facilitated by the Department of Higher Education (CDHE), and clarifies that the DAG maintains an advisory role only to the Colorado Commission on Higher Education (CCHE). Specifically, the DAG must advise the CCHE on policies and procedures for the collection and use of data, implementation of new data collection requirements, and data sharing and aggregation. In addition, the CCHE must consult with the DAG to establish policies that outline data sharing processes and ensure transparency between higher education entities. The DAG consists of representatives from the department and institutions, and must meet at least quarterly.

The bill also expands the advisory committee to the CCHE by one member, who works at a public institute of higher education (IHE) and is a member of the DAG.

Building Maintenance

Under current law, the University of Colorado (CU) is restricted from performing certain electrical and plumbing work on specified owned or leased buildings. The bill removes these restrictions from some property and applies it to three additional properties.

Capital Construction

Under current law, IHEs submit capital construction and capital renewal project plans to the CCHE, the Capital Development Committee, and the Joint Budget Committee for review and approval, with certain exemptions. One exemption applies to new capital construction projects funded solely from cash funds and requiring \$2.0 million or less in capital. The bill increases this threshold to \$5.0 million. The bill also exempts cash-funded capital construction projects from

review when funds are not derived from student fees and the institution has not participated in the higher education revenue bond intercept program within the preceding five years.

Fiscal Note Responses

The bill requires the CDHE to provide IHEs with the department’s official fiscal impact response to the Legislative Council Staff within three days of it being submitted.

Bond Requirements

Lastly, the bill modifies revenue bond requirements and procedures for CU to conform statute with existing practice.

Background

The Data, Research, and Policy Division in the CDHE currently facilitates an informal data advisory group that oversees data collection requirements and procedures, and ensures that institutions of higher education are provided with information collected by the department. The division further manages student-level data for over 40 institutions, supports CCHE reporting, and handles data governance and sharing. The CDHE also provides administrative staff and resources to the CCHE related to meeting facilitation, policymaking, and stakeholder coordination.

State Expenditures

The bill increases state expenditures in the CDHE by about \$59,000 in FY 2026-27 and \$52,000 in FY 2027-28 and future years. These costs, paid from the General Fund, are summarized in Table 2 and discussed below. The bill also minimally affects workload in the Legislative Department and the IHEs.

Table 2
State Expenditures
Department of Higher Education

Cost Component	Budget Year FY 2026-27	Out Year FY 2027-28
Personal Services	\$40,458	\$40,458
Operating Expenses	\$640	\$640
Capital Outlay Costs	\$7,000	\$0
Centrally Appropriated Costs	\$11,013	\$11,013
Total Costs	\$59,111	\$52,111
Total FTE	0.5 FTE	0.5 FTE

Department of Higher Education

Beginning in FY 2026-27, the CDHE requires 0.5 FTE Administrator IV to support both the DAG and the CCHE in developing data policies, coordinating advisory input, drafting and advancing data policies through the CCHE process, facilitating meetings, and supporting collaboration across DAG, the CCHE, IHEs, and other state agencies. Ongoing work includes policy maintenance, recurring advisory activities, and support for legislative and reporting changes. This estimate assumes that the commission and advisory group will effectuate approximately 30 policies in the first two years, with additional policy development occurring as needed. Staff costs and FTE assume a July 1, 2026 start date, and include standard operating and capital outlays costs.

Other Agency Impacts

Legislative Department

Workload in the Legislative Department will minimally decrease for the Capital Development Committee, Joint Budget Committee, and Legislative Council Staff to review fewer capital construction requests from IHEs that meet the new exemptions.

Institutions of Higher Education

The bill minimally decreases workload for the IHEs that meet capital request exemptions due to fewer meetings and approvals required for funding. While the total amount of spending on these capital projects is not expected to change, the years in which they occur may adjust with shorter overall lead times between identifying needs and expenditures.

Additionally, workload will minimally increase for the University of Colorado to perform inspections on work completed in newly unexempted buildings, which can be accomplished within existing appropriations.

Centrally Appropriated Costs

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which may include employee insurance, supplemental employee retirement payments, indirect cost assessments, and other costs, are shown in Table 2 above.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, except that:

- Section 5 only takes effect if House Bill 26-1029 does not become law, in which case Section 4 takes effect upon passage; and
- Section 6 only takes effect if House Bill 26-1029 becomes law, in which case Section 5 takes effect upon passage or on the effective date of House Bill 26-1029, whichever is later.

State Appropriations

For FY 2026-27, the bill requires a General Fund appropriation of \$48,098 to the Department of Higher Education, and 0.5 FTE.

State and Local Government Contacts

Higher Education

Legislative Council Staff

Joint Budget Committee Staff

Personnel

Law

State Auditor