

AXIOM ALERT



Special session in the works to fix error in hospital provider fee bill

Colorado Politics

State lawmakers could return to the Capitol next month to fix a drafting error in one of the last session's most important accomplishments, Senate Bill 267, the significant compromise that raised money for rural Colorado hospitals and schools, as well as transportation, by tinkering with the Taxpayer's Bill of Rights.

The governor's office confirmed it is considering a special session, after several legislators tipped off Colorado Politics about phone calls they had received asking about their schedules for October.

"We are considering it," said Jacque Montgomery, a spokeswoman for Gov. John Hickenlooper. "No decision has been made yet."

Complete Colorado's Sherrie Peif was the first to report in July that the error would cost several special taxing districts, including the Regional Transportation District and metro Denver's Scientific and Cultural Facilities District, significant revenue, because the bill inadvertently throttled their ability to collect the 2.9 percent sales tax on retail marijuana sales effective July 1.

RTD told Peif that the lawmakers' error would likely mean cuts in

services.

Senate Bill 267, while a bipartisan victory, was a rolling ball of complicated negotiations until it passed on the last evening of the legislative session. It was signed into law by the governor on May 30.

The legislation reclassified the hospital provider fee, which is assessed on hospital stays, out from under a constitutional revenue cap set by the Taxpayer's Bill of Rights by simply calling it an "enterprise fund." The cap triggers taxpayer refunds, but as an enterprise fund the cap and trigger don't come into play.

That allows the state to use that money to shore up rural hospitals and other needs. Most statehouse Republicans have been resistant to that change for years. In exchange they got Democrats to lower the state spending cap and raise co-pays on Medicaid recipients.

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