

JBC Staff Fiscal Analysis House Appropriations Committee

Concerning the continuation of open educational resources policies.

Prime Sponsors:

Representative Phillips
(None)

Date Prepared:

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Fiscal Impacts

Appropriation Required, Amendments in Packet

General Fund Impact

Fiscal Note Status

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 01/21/26.

Update: Detail in the attached LCS Fiscal Note accurately reflects the fiscal impact of the bill. However, Table 1 on page 1 understates the cost of continuing the program at the current level, since it assumes that four months of funding will be included in the FY 2026-27 Long Bill. The FY 2026-27 Long Bill does not include funding for this program. Continuing the program *at the current level* requires an appropriation of \$1,108,200 General Fund and 1.0 FTE.

Amendments in This Packet

- J.001 Staff-prepared appropriation amendment
- J.002 Bill Sponsor amendment - changes fiscal impact and appropriation

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001

Staff amendment **J.001** (attached) appropriates \$1,108,200 General Fund to the Department of Higher Education for FY 2026-27. The appropriation reflects 1.0 FTE.

J.002

Bill Sponsor amendment **J.002** (attached) appropriates \$500,000 General Fund to the Department of Higher Education for FY 2026-27. The appropriation reflects 1.0 FTE. This amendment also replaces the petition clause with a safety clause.

If this amendment is adopted, LCS and JBC Staff project the bill's cost components will be as follows.

Program Components	Cost
Personal Services (1.0 FTE)	\$89,718
Operating Expenses	1,280
OER Council [minimal/absorbed in operating]	0
Conferences & Training	50,000
OER Publishing & Repository	20,500
Grant Program	338,502
Total appropriation	\$500,000
<i>Centrally appropriated [not included in FY 2026-27 appropriation]</i>	<i>22,845</i>
<i>Cost with centrally-appropriated</i>	<i>\$522,845</i>

The Committee may adopt J.001 or J.002 but should not adopt both.

Points to Consider

The Joint Budget Committee has proposed a budget package for FY 2026-27 based on the March 2026 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes \$42.3 million in set-asides for legislation outside of the package (see table below). The budget package accounts for the 13.0 percent reserve associated with the placeholders.

General Fund Appropriation Placeholders for Other 2026 Legislation (\$ in millions)

Item	FY 2026-27
SB 26-149 (Pathways for Individuals with Mental Health Disorders)	\$25.9
Potential prison capacity supplemental	5.9
Applied Behavioral Analysis Licensing	5.0
County Administration shared services	3.1
SB 26-042 Revenue Reclass	2.3
Medicaid Working Group	0.5
HB 26-1331 (Modify 2026 Interim Committees)	-0.4
Total - Placeholders for other legislation	\$42.3

General Fund Impact

This bill requires a General Fund appropriation for FY 2026-27 of \$1.1 million (if **J.001** is adopted) or \$500,000 (if **J.002** is adopted), reducing the \$42.3 million set aside by the same amount.