

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE ALLOCATION OF A PORTION OF FEE REVENUES COLLECTED FROM PUBLIC UTILITIES TO MEET COLORADO'S GRANT MATCH OBLIGATIONS UNDER FEDERAL LAW GOVERNING THE FUNDING OF FIXED RAIL GUIDEWAY SAFETY OVERSIGHT PROGRAMS.

Prime Sponsors: Representative Tyler
Senator Baumgardner

JBC Analyst: Tom Dermody
Phone: 303-866-2061
Date Prepared: April 11, 2016

Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 02/11/16.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill neither requires nor contains an appropriation clause. However, if the General Assembly wants to authorize the Public Utilities Commission to spend money made available by the bill in FY 2016-17, it should include an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment J.001 (attached) to add a provision appropriating a total of \$150,000 cash funds from the Public Utilities Commission Fixed Utilities Fund to the Department of Regulatory Agencies for FY 2016-17 for use by the Public Utilities Commission.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2016-17 based on the March 2016 Legislative Council Staff revenue forecast. The budget package allocates a total of \$3.2 million

HB16-1186

JBC Staff Analysis

General Fund for 2016 legislation that is not accounted for in the budget package, including \$3.0 million to be available for appropriations plus \$0.2 million for the associated 6.5 percent statutory reserve. If this amount is not used to fund legislation, it will remain in the General Fund reserve.

Technical Issue

There is currently another bill, Senate Bill 16-087 (Highway-rail Crossing Signalization Fund Funding), that also diverts to a cash fund a portion of the 3.0 percent of fee revenue that is credited to the General Fund. If both H.B. 16-1186 and S.B. 16-087 are enacted into law, up to \$390,000 will be annually diverted from the General Fund. The projected credit to the General Fund in FY 2016-17 is approximately \$402,000. The average credit to the General Fund since FY 2011-12 is approximately \$346,000.