

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE CREATION OF THE LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE INFORMATION SHARING GRANT PROGRAM.

Prime Sponsors: Representative Benavidez
Senator Fields

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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 01/28/19.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	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

The House Judiciary Committee Report (01/29/19) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

The attached Legislative Council Staff Fiscal Note indicates that the bill requires and includes an appropriation of \$1,900,000 from the Marijuana Tax Cash Fund to the newly created Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Cash Fund. However, the bill does not yet include this appropriation. In addition, the new cash fund is subject to annual appropriation, so the bill requires an appropriation of \$1,879,947 reappropriated funds out of the new cash fund for FY 2019-20 to implement the new grant program.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.003/J.002	Bill Sponsor amendment - changes fiscal impact <i>and</i> 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 has prepared amendment **J.001** (attached) to add a provision:

- Appropriating \$1,900,000 cash funds from the Marijuana Tax Cash Fund to the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Cash Fund for FY 2019-20; and
- Appropriating a total of \$1,879,947 reappropriated funds from the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Cash Fund to the Department of Public Safety for FY 2019-20. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.7 FTE to implement the act.

L.003 and J.002

Bill Sponsor amendment **L.003** (attached) reduces the amount the General Assembly shall appropriate for the bill from \$1.9 million to \$500,000. Amendment **J.002** (attached) adds an associated appropriations clause:

- Appropriating \$500,000 cash funds from the Marijuana Tax Cash Fund to the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Cash Fund for FY 2019-20; and
- Appropriating a total of \$479,947 reappropriated funds from the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Cash Fund to the Department of Public Safety for FY 2019-20. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.7 FTE to implement the act.

If L.003 is adopted, J.002 should be adopted and J.001 should not be adopted.

Points to Consider

Revenue Source/ Related Budget Information

A total of \$158.9 million is projected to be available in the Marijuana Tax Cash Fund for appropriation in FY 2019-20, based on the March 2019 Legislative Council Staff revenue forecast. As detailed below, the FY 2019-20 budget package introduced by the Joint Budget Committee, as amended by General Assembly action on the Long Bill, leaves \$28.1 million available.

Total funds projected to be available for FY 2019-20	\$ 158,948,672
Less: Long Bill (S.B. 19-207) appropriations	(130,043,950)
Less: Transfers in/(out) under current law and S.B. 19-213	<u>(803,348)</u>
Funds remaining available	\$ 28,101,374