

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING ACTIONS RELATED TO COMPETENCY TO PROCEED, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Prime Sponsors: Sens. Lee and Gardner
Reps. Weissman and Landgraf

JBC Analyst: Carolyn Kampman
Phone: 303-866-4959
Date Prepared: April 25, 2019

Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/25/19.

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.006	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill includes four sections that make or adjust appropriations. The first three sections increase General Fund appropriations for *FY 2018-19* by \$6,458,000. This includes:

- appropriations totaling \$10,983,000 to the Department of Human Services (DHS) for fines and other payments anticipated to be required by consent decree concerning court-ordered competency services (with authorization to spend these amounts through the close of FY 2019-20); and
- amendments to reduce three existing General Fund appropriations to DHS' Office of Behavioral Health by a total of \$4,525,000 based on amounts DHS indicates will otherwise revert to the General Fund at the end of FY 2018-19.

The fourth section makes General Fund appropriations for *FY 2019-20* totaling \$8,941,764, including:

- \$8,141,194 to DHS;
- \$750,570 to the Judicial Department; and
- \$50,000 to the Department of Law.

The fourth section also appropriates \$454,539 reappropriated funds to the Governor's Office of Information Technology (OIT), and \$139,901 reappropriated funds to the Department of Law. Finally, this provision states that these appropriations are based on an assumption that additional staff will be required, including 19.0 FTE for DHS, 5.4 FTE for Judicial, 0.8 FTE for Law, and 0.9 FTE for OIT.

Description of Amendments in This Packet

J.006 Staff has prepared amendment **J.006** (attached) to modify the existing appropriation clause concerning FY 2019-20 appropriations to correspond to the attached Revised Fiscal Note and to make technical corrections to the section numbering for the appropriation clause provisions. The following table details the FY 2019-20 appropriations with J.006, by Department and fund source.¹

Appropriations for FY 2019-20 with Amendment J.006					
Department	General Fund	Reappropriated Funds Transferred from DHS	Total Funds	FTE	
Human Services (DHS)	\$7,931,188	\$0	\$7,931,188	16.5	
Law	50,000	139,901	189,901	0.8	
Governor's Office of Information Technology	0	455,299	455,299	0.9	
Judicial	960,721	0	960,721	7.5	
TOTALS	\$8,941,909	\$595,200	\$9,537,109	25.7	

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2019-20 based on the March 2019 Legislative Council Staff revenue forecast. The budget package leaves approximately \$47.9 million General Fund unallocated. Thus, the General Assembly could appropriate up to \$44.7 million General Fund to fund 2019 legislation and maintain a 7.25 percent General Fund reserve. The JBC has included as part of the budget package \$15,400,000 General Fund for appropriations that support DHS' compliance with the consent decree concerning court-ordered competency services.

This bill includes General Fund appropriations totaling \$15,399,909, including \$6,458,000 for FY 2018-19 and \$8,941,909 for FY 2019-20.

¹ Please note that the appropriations in J.006 are slightly different than those specified in the attached Revised Fiscal Note due to rounding (the appropriation includes \$1 more General Fund to DHS for supplemental PERA payments) and the allocation of operating costs and capital outlay costs for DHS and OIT staff (J.006 allocates \$5,653 for operating and capital outlay costs for the new OIT position, resulting in a shift of \$760 from the DHS line item appropriations to the amount that is transferred to OIT).