

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING MEASURES TO IMPROVE OUTCOMES FOR DEFENDANTS WHO MAY BE FOUND INCOMPETENT TO PROCEED.

Prime Sponsors: Senator Lee
Representative Weissman

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Appropriation Items of Note

Appropriation Required, Amendment in Packet

General Fund/TABOR Impact

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 03/02/20.

| | |
|------------|--|
| 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 |

The Judiciary Committee Report (03/11/20) 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.

Amendments in This Packet for Consideration by Appropriations Committee

| Amendment | Description |
|------------------|---|
| J.001 | Staff-prepared appropriation amendment |
| L.003 | 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 a total of

SB20-181

JBC Staff Analysis

\$193,941 General Fund to the Judicial Department for FY 2020-21. This provision also states that the appropriation is based on the assumption that the Department will require an additional 2.0 FTE.

L.003 Bill Sponsor amendment **L.003** (attached) eliminates the fiscal impact of the bill so no appropriation is required. The amendment is analyzed in the attached Legislative Council Staff Memo dated May 27. JBC staff agrees with the analysis in this memo.

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

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2020-21 based on the following:

- the May 12, 2020, Office of State Planning and Budgeting revenue forecast;
- a school finance bill placeholder for a reduction of \$723.8 million General Fund;
- a placeholder for the reduction of \$202.0 million General Fund through one or more non-JBC package bills; and
- an adjusted statutory General Fund reserve percentage of 3.84 percent equal to \$402.0 million.

This bill requires a General Fund appropriation of \$193,941 for FY 2020-21, thereby decreasing the proposed fiscal year-end General Fund reserve or increasing the proposed placeholder reductions by the same amount.

However, if amendment L.003 is adopted, this fiscal impact is eliminated.