

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING AN INVESTIGATION BY THE PUBLIC UTILITIES COMMISSION TO EVALUATE THE PARAMETERS OF AN ENERGY POLICY ALLOWING COMMUNITIES IN COLORADO THAT ARE SERVED BY AN INVESTOR-OWNED ELECTRIC UTILITY TO CHOOSE ALTERNATIVE WHOLESALE ELECTRICITY SUPPLIERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Hooton and Boesenecker
Senator Donovan

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Appropriation Items of Note

Appropriation Already Added to Bill, No Amendment in Packet

General Fund 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 04/20/21.

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 House Energy & Environment Committee Report (04/29/21) and the House Appropriations Committee Report (05/14/21) include amendments to the bill and were adopted on second reading in the House (05/20/21) along with floor amendments. The Senate Transportation & Energy Committee Report (05/25/21) also includes an amendment to the bill. However, Legislative Council Staff and JBC Staff agree that the committee and floor amendments do not change the fiscal impact of the bill.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
None.	

Current Appropriations Clause in Bill

The bill includes a provision that appropriates a total of \$48,391 General Fund to the Department of Regulatory Agencies for FY 2021-22. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.5 FTE.

Points to Consider*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2021-22 based on the March 2021 Legislative Council Staff revenue forecast. The budget package includes a set aside of \$48.0 million General Fund for bills that require General Fund appropriations for FY 2021-22. This bill requires a General Fund appropriation of \$48,391 for FY 2021-22, reducing the \$48.0 million set aside by the same amount.

Fixed Utility Fund

Section 40-2-110 (1), C.R.S., specifies that the programs administered by the Public Utilities Commission be funded from the Fixed Utility Fund. However, as noted in the Technical Note on page 3 of the Legislative Council Staff Fiscal Note, there are not sufficient resources in the Fixed Utility Fund at the present time to support the expenditures identified in the fiscal note. If the General Assembly revises the statutory maximum fee, these and future expenses may be paid from the Fixed Utility Fund.