

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO TAKE ACTION AGAINST CERTAIN DOCUMENTS.

Prime Sponsors: Reps. Herod and Gray

JBC Analyst: Andrea Uhl  
Phone: 303-866-4956  
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**Appropriation Items of Note**

**Appropriation Required, Amendment in Packet**

**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 05/21/21.

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

The most recent Legislative Council Staff Fiscal Note (05/21/21) indicates that the bill requires an appropriation of \$211,500 from the DRIVES Vehicle Services Account to the Department of Revenue for FY 2021-22. However, costs related to driver's licenses are not an allowable use of the DRIVES Vehicle Services Account and the appropriation should therefore be made from the Licensing Services Cash Fund instead. Legislative Council Staff agrees with this assessment.

**Amendments in This Packet for Consideration by Appropriations Committee**

| <b>Amendment</b> | <b>Description</b>                     |
|------------------|--|
| J.001            | Staff-prepared appropriation amendment |

**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 \$211,500 cash funds from the Licensing Services Cash Fund to the Department of Revenue

for FY 2021-22.

**Points to Consider***Marijuana Tax Cash 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 leaves approximately \$20.4 million available for appropriation or transfer from the Marijuana Tax Cash Fund for FY 2021-22, based on that revenue forecast. As amended by the House Judiciary Committee, this bill requires transfers of \$2,001,200 from the Marijuana Tax Cash Fund for FY 2021-22, reducing the anticipated balance by the same amount.

*Technical Issues*

The Judiciary Committee Report (05/19/21) includes amendments to the bill that transfer \$350,000 from the Marijuana Tax Cash Fund to the Judicial Department for Trial Court Programs. Because this provision does not specify a cash fund to receive the funds, the Treasurer will be unable to execute the transfer.

The Judiciary Committee Report (05/19/21) also includes amendments to the bill that transfer \$250,200 from the Marijuana Tax Cash Fund to the Colorado DRIVES Vehicle Services Account to compensate the Department of Revenue for one-time programming costs. Amendment **J.001** appropriates \$211,500 from the Licensing Services Cash Fund (rather than the Colorado DRIVES Vehicle Services Account) to the Department of Revenue for FY 2021-22. Based on the appropriation in amendment **J.001**, the language adopted in the Judiciary Committee Report should be modified to transfer \$211,500 from the Marijuana Tax Cash Fund to the Licensing Services Cash Fund.