

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING FUNDING SOURCES FOR THE OFFICE OF INFORMATION TECHNOLOGY, AND, IN CONNECTION THEREWITH, CREATING THE TECHNOLOGY RISK PREVENTION AND RESPONSE FUND; INCREASING THE AMOUNT OF MONEY THAT MAY BE TRANSFERRED BETWEEN ITEMS OF APPROPRIATION MADE TO PRINCIPAL DEPARTMENTS OF STATE GOVERNMENT AND TO THE OFFICE OF THE GOVERNOR; AND MAKING AN APPROPRIATION.

Prime Sponsors: Sens. Moreno and Rankin  
Reps. McCluskie and Titone

JBC Analyst: Scott Thompson  
Phone: 303-866-4957  
Date Prepared: May 30, 2021

**Appropriation Items of Note**

**Appropriation Already Added to Bill, No Amendment in Packet**

**General Fund Impact**

**New Cash Fund (with Continuous Appropriation)**

**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 05/25/21.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<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

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

<b>Amendment</b>	<b>Description</b>
None.	

**Current Appropriations Clause in Bill**

The bill includes an appropriation clause that provides \$2,000,000 from the General Fund to the Technology Risk Prevention and Response Fund, for use by the Office of Information Technology. The funding in the Technology Risk Prevent and Response Fund is continuously appropriated up to 50 percent of its starting balance each year.

**Points to Consider***Legislative Authority*

The bill delegates authority from the legislature to the executive by doubling the amount of transfers between line items within departments that the Governor can authorize in a year, from \$5.0 million statewide to \$10.0 million statewide. This applies to any transfer between line items of like purposes authorized by Section 24-75-108, C.R.S., and is not restricted to transfers related to information technology.

*Legislative Authority*

Is it necessary to "continuously appropriate" moneys in the Technology Risk Prevention and Response Fund? This method of funding the activities of the Commission essentially moves related expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process.