

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE CREATION OF THE INNOVATIVE HOUSING INCENTIVE PROGRAM.

Prime Sponsors: Reps. Mullica and Lynch
Sens. Bridges and Woodward

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Phone: 303-866-4957
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Appropriation Items of Note

Appropriation Not Required, Amendment in Packet

New Cash Fund (with Continuous Appropriation)

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 03/31/22.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	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 attached fiscal note accurately describes the fiscal impact of the bill, however, it assumes that the source of funds being transferred is the Affordable Housing and Home Ownership Cash Fund. The bill, as amended by House Judiciary Committee Report (02/15/22), is silent on the source of the transfer.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
L.008	Bill Sponsor amendment - specifies the fiscal impact is from the Affordable Housing and Home Ownership Cash Fund and originates as General Fund.

Current Appropriations Clause in Bill

The bill neither requires nor contains an appropriation clause for FY 2022-23.

Description of Amendments in This Packet

L.008 Bill Sponsor amendment **L.008** (attached) clarifies that the funds from the Affordable

Housing and Home Ownership Cash Fund are being transferred to the Innovative House Incentive Cash Fund. The Innovative Housing Incentive Cash Fund is continuously appropriated to the Office of Economic Development and International Trade, therefore adoption of **L.008** does not require the addition of an appropriation clause to the bill.

Points to Consider*Legislative Appropriation Authority*

Continuous spending authority, also known as **continuous appropriations**, allows departments to spend money for statutorily specified purposes up to the amount of money in the fund without seeking annual legislative approval. An annual appropriation provides a limit on spending authority, while a continuous appropriation provides unlimited spending authority.

This method of funding moves these expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process. Is it necessary for the Office of Economic Development and International Trade to **not** seek annual authority from the General Assembly to spend money from the Innovative Housing Incentive Cash Fund?