

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE PROCEDURE FOR SEALING OF CRIMINAL RECORDS FOR NONVIOLENT OFFENSES, AND, IN CONNECTION THEREWITH, ADDRESSING WORKFORCE SHORTAGES AND MINIMIZING BARRIERS TO EMPLOYMENT FOR JOB SEEKERS.

Prime Sponsors: Sens. Hisey and Rodriguez  
Representative Tipper

JBC Analyst: Alfredo Kemm  
Phone: 303-866-4549  
Date Prepared: April 18, 2022

**Appropriation Items of Note**

**Appropriation Required, Amendment in Packet  
General Fund Impact  
Significant Cost Increase in Second Year**

**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 04/11/22.

<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>
J.001	Staff-prepared appropriation amendment
L.022, L.024, L.025	Bill Sponsor amendments - do not change fiscal impact
L.026 /J.002	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 \$725,145

General Fund to the Judicial Department and \$13,000 General Fund to the Department of Public Safety for FY 2022-23. This provision also states that the appropriation is based on the assumption that the Judicial Department will require an additional 0.8 FTE.

**L.022, L.024, and L.025**

Bill Sponsor amendments **L.022, L.024, and L.025** (attached) amend the bill and Judiciary Committee Report to add a definition and a clarification of consumer reporting agency requirements and repeals and reenacts Section 24-72-708, C.R.S. These amendments do not change the fiscal impact identified in the Revised Fiscal Note.

**L.026 and J.002**

Bill Sponsor amendment **L.026** (attached) specifies electronic transmission of information to the Colorado Bureau of Investigation. This eliminates the fiscal impact and need for appropriation to the Department of Public Safety identified in the Revised Fiscal Note. Staff-prepared appropriation amendment **J.002** (attached) adds a provision appropriating only \$725,145 General Fund to the Judicial Department and identifying the associated 0.8 FTE.

The Committee may adopt sponsor amendments L.022, L.024, and L.025. **If the Committee adopts sponsor amendment L.026, then the Committee should adopt J.002 and not J.001.**

**Points to Consider***General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2022-23 based on the March 2022 Legislative Council Staff revenue forecast. The budget package includes two set-asides:

- \$40.0 million General Fund for bills that create ongoing obligations; and
- \$900.0 million General Fund for bills that create one-time obligations in FY 2022-23.

The \$40.0 million *appropriations* set-aside includes an additional \$6.0 million General Fund to provide a 15.0 percent General Fund reserve for those appropriations. The \$900.0 million *obligations* set-aside does not include an additional amount for a General Fund reserve and, assumes, but does not require, that obligations be addressed through statutory transfers rather than appropriations. Therefore *appropriations* from the \$900.0 million set-aside require an additional 15.0 percent to maintain the statutory General Fund reserve.

This bill creates an ongoing obligation and requires a General Fund appropriation of \$738,145 for FY 2022-23, reducing the \$40.0 million set aside by the same amount. The General Fund appropriation increases to \$1.4 million and 4.2 FTE in FY 2023-24, reducing the amount of General Fund available for other purposes.