

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING INCREASING SAFETY IN ASSISTED LIVING RESIDENCES.

Prime Sponsors: Senator Danielson	JBC Analyst: Andrew Forbes
Reps. McCormick and Young	Phone: 303-866-2062
	Date Prepared: April 18, 2022

Appropriation Items of Note

Appropriation Required, 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 03/25/22.

	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 Senate Health and Human Services Committee Report (04/04/22) includes amendments to the bill that reduce the fiscal impact and General Fund appropriation to the Department of Public Health and Environment from \$82,766 to \$74,509 and associated FTE from 0.4 FTE to 0.3 FTE. LCS and JBC staff agree on the change to the fiscal impact.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.007	Bill Sponsor amendment - does not change fiscal impact

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 \$74,509 General Fund to the Department of Public Health and Environment for FY 2022-23. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.3 FTE. Of this amount, \$47,680 is reappropriated to the Governor's Office of Information Technology.

L.007 Bill Sponsor amendment **L.007** (attached) amends the Senate Health and Human Services Committee Report (04/04/22) to add a provision establishing a five day appeal period, and changes the fine structure from a \$2,000 per calendar year to no more than \$15,000 per violation.

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 \$74,509 for FY 2022-23, reducing the \$40.0 million set aside by the same amount.