

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING UPDATES TO THE COLORADO STATE FOREST SERVICE SEEDLING TREE NURSERY.

Prime Sponsors: Representative Story
Senator Cutter

JBC Analyst: Amanda Bickel
Phone: 303-866-4960
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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 Revised¹ Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/03/23.

	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

Section 23-3.3-103 (1), C.R.S., requires that "student financial assistance under [Article 3.3 of Title 23] increase by at least the same percentage as the aggregate percentage increase of all general fund appropriations to institutions of higher education." Funding for the Colorado State Forest Service tree nursery is appropriated to the Colorado State University System (an institution of higher education). The additional cost of providing aligned financial aid, consistent with the provisions of Section 23-3.3-103 (1), C.R.S., is \$1,249,507 General Fund. Legislative Council Staff concurs with this analysis.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.002/J.002	Bill Sponsor amendment - changes fiscal impact <i>and</i> appropriation

¹The title of the note does not identify it as "revised", but this is the second fiscal note on this bill.

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause for FY 2023-24.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$6,632,007 General Fund to the Department of Higher Education for FY 2023-24. This includes \$5,382,500 General Fund to support the State Forest Service tree nursery. Statutory provisions added in the Education Committee Report make this appropriation available through FY 2024-25. It also includes \$1,249,507 General Fund for Need Based Grants to comply with the requirement of Section 23-3.3-103 (1), C.R.S.

L.002 and J.002

Bill Sponsor amendment **L.002** (attached) exempts this program from the requirement of Section 23-3.3-103 (1), C.R.S., that "student financial assistance under [Article 3.3 of Title 23] increase by at least the same percentage as the aggregate percentage increase of all general fund appropriations to institutions of higher education." Amendment **J.002** (attached) adds a provision appropriating \$5,382,500 General Fund to the Department of Higher Education for FY 2023-24. (This excludes the additional funding for financial aid.) Statutory provisions added in the Education Committee Report make this appropriation available through FY 2024-25.

The Committee may adopt J.001 OR the combination of L.002 and J.002 but should not adopt both J.001 and J.002.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2023-24 based on the March 2023 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes two set-asides for legislation outside of the package: (1) \$30.0 million General Fund for bills that create ongoing obligations; and (2) \$469.0 million for bills that create one-time obligations for FY 2023-24 (see table below).

General Fund Appropriation Placeholders for Other 2023 Legislation	
Description	FY 2023-24
Legislation with Ongoing Fiscal Impacts	\$30,000,000
Legislation with One-time Fiscal Impacts	
Workforce-related legislation, including free credentials, math scholarships, adult education, and concurrent enrollment	103,000,000

HB23-1060**JBC Staff Analysis**

General Fund Appropriation Placeholders for Other 2023 Legislation	
Housing-related legislation, including property tax relief, land use, and public-private partnerships	221,000,000
Legislation related to topics other than workforce and housing, including rural opportunity, line of duty loss, and Proposition 122 implementation	145,000,000
Subtotal	\$469,000,000
TOTAL Placeholders for Other 2023 Legislation	\$499,000,000

The budget package accounts for the 15.0 percent reserve associated with the above placeholders (a total of \$74.9 million).

This bill creates a one-time obligation and requires a General Fund appropriation of \$6,632,007 (if J.001 is adopted) or \$5,382,500 (if J.002 is adopted) for FY 2023-24, reducing the \$469.0 million set aside by the amount selected.