

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE PROVISION OF ADDITIONAL RESOURCES TO PROTECT AIR QUALITY, AND, IN CONNECTION THEREWITH, INCREASING FEES, CREATING THE AIR QUALITY ENTERPRISE, AND MAKING AN APPROPRIATION.

Prime Sponsors: Senator Fenberg
Reps. Jackson and Caraveo

JBC Analyst: Tom Dermody
Phone: 303-866-4963
Date Prepared: June 9, 2020

Appropriation Items of Note

Appropriation Required, Already Added to Bill

General Fund Impact

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 06/08/20.

| | |
|-----|--|
| XXX | No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill |
| | 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 |

Amendments in This Packet for Consideration by Appropriations Committee

| Amendment | Description |
|-----------|-------------|
| | None. |

Current Appropriations Clause in Bill

The bill includes an appropriation clause that provides a total of \$10,660 General Fund to the Department of Public Health and Environment for FY 2020-21 for the purchase of legal services. The appropriation clause also provides an equivalent amount of reappropriated funds to the Department of Law for the provision of legal services to the Department of Public Health and Environment.

Points to Consider*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2020-21 based on the following:

- the May 12, 2020, Office of State Planning and Budgeting revenue forecast;
- a school finance bill placeholder for a reduction of \$723.8 million General Fund;
- a placeholder for the reduction of \$202.0 million General Fund through one or more non-JBC package bills; and
- an adjusted statutory General Fund reserve percentage of 3.84 percent equal to \$402.0 million.

This bill requires a General Fund appropriation of \$10,660 for FY 2020-21, thereby decreasing the proposed fiscal year-end General Fund reserve or increasing the proposed placeholder reductions by the same amount.

Legislative Authority

Is it necessary to "continuously appropriate" money in the Air Quality Enterprise Cash Fund? This method of funding essentially moves related expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process.