

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING MEASURES BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO PROTECT THE PUBLIC FROM CERTAIN HAZARDOUS SUBSTANCES.

Prime Sponsors: Sens. Fenberg and Lee

JBC Analyst: Tom Dermody

Phone: 303-866-4963

Date Prepared: June 8, 2020

**Appropriation Items of Note**

**Appropriation Required, Amendment in Packet**

**General Fund/TABOR Impact**

**New Cash Fund (with Continuous Appropriation)**

**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 06/06/20.

	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
<b>XXX</b>	<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

The Fiscal Note dated June 6, 2020 includes a typographical error, incorrectly identifying revenue in Table 1 as General Fund revenue. This revenue is derived from fees on fuel products and should be categorized as cash fund revenue, as discussed on page 3 of the Fiscal Note. This correction does not affect the appropriations required for this bill. Legislative Council Staff agrees with this technical update.

The Finance Committee Report (06/06/20) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change 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

**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 \$156,480 General Fund to the Department of Revenue for FY 2020-21. The amendment also provides an appropriation of \$1,523,380 cash funds from the Hazardous Materials Safety Fund to the Department of Public Safety for FY 2020-21.

**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 \$156,480 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 Perfluoroalkyl and Polyfluoroalkyl Substances 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.