

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING FIFTH-DAY SCHOOL WEEK SUPPLEMENTAL ENRICHMENT PROGRAMS.

Prime Sponsors: Reps. Esgar and Will
Sens. Garcia and Hisey

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Date Prepared: May 11, 2021

Appropriation Items of Note

Appropriation Required, Amendment in Packet

General Fund Impact

New Cash Fund

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 04/12/21.

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

The Education Committee Report (04/29/21) 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.

The Legislative Council Staff Revised Fiscal Note identifies an impact of \$491,710 General Fund and 0.5 FTE in FY 2021-22 if the General Assembly intends to implement the bill in FY 2021-22. As noted in the Revised Fiscal Note, the appropriation is not necessary if the General Assembly does not intend to implement the bill in FY 2021-22.

While the Revised Fiscal Note identifies the General Fund impact of the bill, the bill creates a cash fund to support the Fifth-day Academic Enrichment and Support Grant Program, into which the General Assembly would appropriate General Fund. Appropriations to support the program itself would be reflected as reappropriated funds (from the Fifth-day Academic Enrichment and Support Grant Program Fund). Under that structure, the bill would require appropriations of \$491,710

General Fund into the cash fund and \$491,710 reappropriated funds out of the cash fund.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.003	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

If the General Assembly wishes to implement this bill, the bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.003 Staff has prepared amendment **J.003** (attached) to add a provision appropriating \$491,710 General Fund to the Fifth-day Academic Enrichment and Support Grant Program Fund and then reappropriating that amount (as reappropriated funds) to the Department of Education for FY 2021-22. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.5 FTE.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2021-22 based on the March 2021 Legislative Council Staff revenue forecast. The budget package includes a set aside of \$48.0 million General Fund for bills that require General Fund appropriations for FY 2021-22. This bill requires a General Fund appropriation of \$491,710 for FY 2021-22, reducing the \$48.0 million set aside by the same amount.

Technical Issues

The bill creates the new Fifth-day Academic Enrichment and Support Grant Program Fund, which would consist of money appropriated or transferred by the General Assembly into the fund for the Fifth-day Academic Enrichment and Support Grant Program. Moneys in the Fund are then subject to annual appropriation by the General Assembly. Is it necessary to appropriate General Fund into a new cash fund, rather than appropriating General Fund directly to the Department for the grant program?

The bill includes a requirement that "The General Assembly shall annually appropriate money from the Fifth-day Academic Enrichment and Support Grant Program Fund to the Department to implement the grant program." This provision appears to be in conflict with the preceding provision stating that "the General Assembly may appropriate or transfer to the fund."