



**Legislative Council Staff**

*Nonpartisan Services for Colorado's Legislature*

**Final Fiscal Note**

<b>Drafting Number:</b>	LLS 21-0888	<b>Date:</b>	August 25, 2021
<b>Prime Sponsors:</b>	Sen. Jaquez Lewis Rep. Bennett; McCormick	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** **STIMULUS FUNDING DEPT. OF AGRICULTURE EFFICIENCY PROGRAMS**

<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill transfers \$3.0 million from the General Fund to the Agriculture Value-Added Cash Fund to support the Advancing Colorado's Renewable Energy and Energy Efficiency Program. It also appropriates \$2.0 million from the General Fund to the Conservation Services Division within the Department of Agriculture for voluntary soil health programs. The bill increases state expenditures through FY 2022-23.

**Appropriation Summary:** For FY 2020-21, the bill appropriates \$5.0 million to the Department of Agriculture.

**Fiscal Note Status:** The fiscal note reflects the enacted bill.

**Table 1  
State Fiscal Impacts Under SB 21-235<sup>1</sup>**

		<b>Current Year FY 2020-21</b>	<b>Budget Year FY 2021-22</b>	<b>Out Year FY 2022-23</b>
<b>Revenue</b>		-	-	-
<b>Expenditures</b>	General Fund	\$2.0 million	-	-
	Cash Funds	\$3.0 million	-	-
	<b>Total Expenditures</b>	<b>\$5.0 million</b>	-	-
<b>Transfers</b>	General Fund	(\$3.0 million)	-	-
	Cash Funds	\$3.0 million	-	-
	<b>Net Transfer</b>	<b>\$0</b>	-	-
<b>TABOR Refund</b>		-	-	-

<sup>1</sup> Transferred funds may be spent through FY 2021-22. General Fund appropriations may be spent through mid-FY 2022-23.

## **Summary of Legislation**

The bill creates a one-time transfer of \$3.0 million from the General Fund to the Agriculture Value-Added Cash Fund to support the Department of Agriculture's (CDA's) ongoing Advancing Colorado's Renewable Energy and Energy Efficiency (ACRE<sup>3</sup>) program. At least \$150,000 must be allocated to research, guidance, technical assistance, feasibility studies, and projects related to agrivoltaics, as defined in the bill. The bill also appropriates \$2.0 million from the General Fund to the Conservation Services Division within CDA to administer voluntary soil health programs. CDA is authorized to retain up to two percent of funding to cover administrative costs.

CDA is required to periodically report on expenditures to the Office of State Planning and Budgeting and the General Assembly and on its website, and incorporate information into its SMART Act presentations.

## **State Revenue**

The bill will increase state revenue to the Agriculture Value-Added Cash Fund from interest earned and any fees collected on loans issued. These amounts will depend on the rules promulgated by the Colorado Agricultural Value-Added Development Board, the interest rates on loans, and whether any fees will be required for processing a loan, and have not been estimated. This revenue is subject to TABOR.

## **State Transfers**

The bill creates a one-time transfer of \$3.0 million from the General Fund to the Agriculture Value-Added Cash Fund. The transfer must take place within three days after the effective date, which is assumed to fall in the current FY 2020-21.

## **State Expenditures**

The bill will increase expenditures for the CDA by \$5.0 million between FY 2020-21 and FY 2022-23 to implement renewable energy and voluntary soil health programs. Up to 2 percent (\$100,000) of total expenditures will be used for administrative costs, leaving at least 98 percent (\$4,900,000) for other program expenditures. CDA is authorized to expend money from the Agriculture Value-Added Cash Fund through FY 2021-22. The Conservation Services Division is authorized to expend money from the General Fund on or before December 31, 2022.

## **Local Government**

For local governments that apply for and are awarded grant funding under the ACRE<sup>3</sup> program or voluntary soil health program, revenue and expenditures will increase.

## **Effective Date**

The bill was signed into law by the Governor and took effect on June 15, 2021.

## **State Appropriations**

For FY 2020-21, the bill appropriates to the Department of Agriculture:

- \$3.0 million from the Agriculture Value-Added Cash Fund, which is further appropriated through FY 2021-22; and
- \$2.0 million from the General Fund, which is further appropriated through December 31, 2022.

## **State and Local Government Contacts**

Agriculture

Information Technology