

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING A STUDY OF DEVICES THAT ARE BASED ON FDA-CLEARED TECHNOLOGY CAPABLE OF SELF-ASSESSING IMPAIRMENT OF MOTORISTS TO DETECT THE PRESENCE OF DRUGS OTHER THAN ALCOHOL DURING ROADSIDE SOBRIETY INVESTIGATIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. McKean and Roberts
Sens. Pettersen and Woodward

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Appropriation Items of Note

Appropriation Already Added to Bill, Amendment in Packet

General Fund Impact

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 03/30/22.

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 House Judiciary Committee Report (04/05/22) 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

Amendment	Description
J.001	Staff-prepared appropriation amendment
J.002	Staff-prepared bill sponsor/appropriation amendment - changes appropriation

Current Appropriations Clause in Bill

The bill includes an appropriation clause that provides \$751,649.17 General Fund to the Department

of Transportation for FY 2022-23.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to make technical corrections to the existing appropriation clause.

J.002 At the request of the sponsor, staff has prepared amendment **J.002** (attached) to change the fund source in the existing appropriation clause from General Fund to Marijuana Tax Cash Fund. **J.002** also makes technical corrections to the existing appropriation clause.

The Committee should adopt either **J.001** or **J.002**, but not both.

Points to Consider*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2022-23 based on the March 2022 Legislative Council Staff revenue forecast. The budget package includes two set-asides:

- \$40.0 million General Fund for bills that create ongoing obligations; and
- \$900.0 million General Fund for bills that create one-time obligations in FY 2022-23.

The \$40.0 million *appropriations* set-aside includes an additional \$6.0 million General Fund to provide a 15.0 percent General Fund reserve for those appropriations. The \$900.0 million *obligations* set-aside does not include an additional amount for a General Fund reserve and, assumes, but does not require, that obligations be addressed through statutory transfers rather than appropriations. Therefore *appropriations* from the \$900.0 million set-aside require an additional 15.0 percent to maintain the statutory General Fund reserve.

The bill in its current form creates a one-time obligation and requires a General Fund appropriation of \$751,649 for FY 2022-23, reducing the \$900.0 million set aside by \$864,396 in order to maintain a 15.0 percent statutory General Fund reserve.

Marijuana Tax Cash Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2022-23 based on the March 2022 Legislative Council Staff revenue forecast. The budget package leaves approximately \$4.7 million available for appropriation or transfer from the Marijuana Tax Cash Fund for FY 2022-23, based on that revenue forecast. If **J.002** is adopted, this bill will require an appropriation \$751,649 from the Marijuana Tax Cash Fund for FY 2022-23, reducing the anticipated balance by the same amount.