

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING OUTREACH TO THE PUBLIC RELATING TO WILDFIRE RISK MITIGATION PRACTICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Sens. Story and Lee  
Reps. Cutter and Snyder

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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 Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/11/22.

	<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

Based on the structure of appropriations for the Higher Education Institutions, JBC Staff assumes that the General Fund appropriation required by the bill in FY 2023-24 will include centrally-appropriated amounts. Therefore the appropriation required will be \$219,229 for FY 2023-24. Legislative Council Staff concurs with this analysis.

**Amendments in This Packet for Consideration by Appropriations Committee**

<b>Amendment</b>	<b>Description</b>
J.002	Bill sponsor amendment - changes fiscal impact

**Current Appropriations Clause in Bill**

The bill includes an appropriation clause that provides an appropriation of \$600,473 General Fund to the Healthy Forests and Vibrant Communities Fund for FY 2022-23. The Department of Higher Education is responsible for the accounting related to this appropriation.

**Description of Amendments in This Packet**

**J.002** Bill Sponsor amendment **J.002** (attached) increases the appropriation included in this bill to the Healthy Forests and Vibrant Communities Cash Fund to \$800,000 General Fund for FY 2022-23. This cash fund is continuously appropriated for the use of the Colorado State Forest Service at Colorado State University.

The sponsors have expressed their intent that this be a one-time appropriation and that this \$800,000 be provided in lieu of the amounts identified as spread between FY 2022-23 and FY 2023-24 in the April 11, 2022 Legislative Council Staff Revised Fiscal Note.

**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.

This bill creates a one-time obligation and requires a General Fund appropriation of \$600,473 in FY 2022-23 and \$219,229 in FY 2023-24, reducing the \$900.0 million set aside by \$690,544 in FY 2022-23 in order to maintain a 15.0 percent statutory General Fund reserve. If sponsor amendment J.002 is adopted, the bill will require a General Fund appropriation of \$800,000 in FY 2022-23, reducing the \$900.0 million set aside by \$920,000 in FY 2022-23 in order to maintain a 15.0 percent statutory reserve.

*Legislative Appropriation Authority*

Continuous spending authority, also known as **continuous appropriations**, allows departments to spend money for statutorily specified purposes up to the amount of money in the fund without seeking annual legislative approval. An annual appropriation provides a limit on spending authority, while a continuous appropriation provides unlimited spending authority.

This method of funding moves these expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process. Amounts for the Colorado State Forest Service appropriated this bill are deposited to a continuously appropriated cash fund (the Healthy Forests and

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Vibrant Communities Fund). However, pursuant to Section 23-1-104, most operating funding for higher education institutions is included in single line items by governing board; therefore *the appropriation structure in this bill provides greater transparency than if the funding were included in the line item for the Colorado State University System.*