

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE CONTINUATION OF THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL, AND, IN CONNECTION THEREWITH, EXTENDING THE SUNSET DATE BY SEVEN YEARS.

Prime Sponsors: Sens. Hinrichsen and Pelton B.
Reps. Boesenecker and Lindsay

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Date Prepared: March 29, 2023

Appropriation Items of Note

Appropriation Required, 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 02/20/23.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	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

Section 23-3.3-103 (1), C.R.S. requires that appropriations for student financial assistance increase by at least the same percentage as the aggregate percentage increase of all General Fund appropriations to institutions of higher education. To comply with this provision, the increase of \$151,068 General Fund for the Food Systems Advisory Council must be accompanied by an increase of \$35,069 General Fund for financial aid or the program must be exempted from this statutory provision. Legislative Council Staff concurs with this analysis.

The Agriculture and Natural Resources Committee Report (03/09/23) 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

Amendment	Description
L.008/J.002	Bill Sponsor amendment - changes fiscal impact <i>and</i> appropriation

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause for FY 2023-24.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$186,137 General Fund to the Department of Higher Education for FY 2023-24, including \$35,069 for Need Based Grants and \$151,068 for a limited purpose fee-for-service contract that is reappropriated to the Board of Governors of the Colorado State University System for the Food Systems Advisory Council. This provision also states that the appropriation is based on an assumption that the Board of Governors requires an additional 1.0 FTE.

L.008 and J.002

Bill Sponsor amendment **L.008** (attached) exempts appropriations for the Food Systems Advisory Council from Section 23-3.3-103 (1), C.R.S., which requires that appropriations for student financial assistance increase by at least the same percentage as the aggregate percentage increase of all General Fund appropriations to institutions of higher education. This eliminates the need to appropriate funds for financial aid in this bill. Bill sponsor amendment **J.002** (attached) adds a provision appropriating \$151,068 General Fund to the Department of Higher Education for FY 2023-24 for a limited purpose fee-for-service contract that is reappropriated to the Board of Governors of the Colorado State University System for the Food Systems Advisory Council. This provision also states that the appropriation is based on the assumption that the Board of Governors requires an additional 1.0 FTE.

The Committee may adopt J.001 *or* the combination of L.008 and J.002 but should *not* adopt both J.001 and J.002.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2023-24 based on the March 2023 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes two set-asides for legislation outside of the package: (1) \$30.0 million General Fund for bills that create ongoing obligations; and (2) \$469.0 million for bills that create one-time obligations for FY 2023-24 (see table below).

SB23-159**JBC Staff Analysis**

General Fund Appropriation Placeholders for Other 2023 Legislation	
Description	FY 2023-24
Legislation with Ongoing Fiscal Impacts	\$30,000,000
Legislation with One-time Fiscal Impacts	
Workforce-related legislation, including free credentials, math scholarships, adult education, and concurrent enrollment	103,000,000
Housing-related legislation, including property tax relief, land use, and public-private partnerships	221,000,000
Legislation related to topics other than workforce and housing, including rural opportunity, line of duty loss, and Proposition 122 implementation	145,000,000
Subtotal	\$469,000,000
TOTAL Placeholders for Other 2023 Legislation	\$499,000,000

The budget package accounts for the 15.0 percent reserve associated with the above placeholders (a total of \$74.9 million).

This bill creates an ongoing obligation and requires a General Fund appropriation of \$186,137 (if J.001 is adopted) or \$151,068 (if J.002 is adopted) for FY 2023-24, reducing the \$30.0 million set aside by the same amount.