

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING CONSOLIDATING DUTIES UNDER THE AUTHORIZATION PROCESS FOR COLORADO EDUCATOR PREPARATION PROGRAMS FROM THE DEPARTMENT OF HIGHER EDUCATION TO THE DEPARTMENT OF EDUCATION.

Prime Sponsors: Sens. Buckner and Lundeen  
Representative Michaelson Jenet

JBC Analyst: Amanda Bickel  
Phone: 303-866-4960  
Date Prepared: April 12, 2023

**Appropriation Items of Note**

**Appropriation Required, Amendment in Packet**

**TABOR and 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 04/06/23.

	<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

The Department of Higher Education has provided additional information indicating that the travel and review panel costs identified in the bill (\$22,126) were reimbursed by institutions of higher education, were not a General Fund expense, and therefore should not be reduced from the Department's appropriation. The bill therefore reduces funding needed by the Department of Higher Education by \$24,561 General Fund (rather than \$46,687). Legislative Council Staff concurs with this analysis. The Education Committee Report (04/10/23) 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**

<b>Amendment</b>	<b>Description</b>
J.001	Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill requires but does not contain an appropriation clause.

**Description of Amendments in This Packet**

**J.001** Staff has prepared amendment **J.001** (attached) to add a provision: (1) reducing the appropriation to the Department of Higher Education by \$24,561 General Fund, based on the assumption that the Department of Higher Education will have a reduction of 0.3 FTE; and (2) increasing the appropriation to the Department of Education by \$108,990 cash funds shown for informational purposes, based on the assumption that the Department of Education will require an additional 0.8 FTE.

**Points to Consider***TABOR/ Excess State Revenues/General Fund Impact*

This bill increases the projected TABOR refund made out of the General Fund by \$22,126 for FY 2023-24 and FY 2024-25 but also reduces General Fund obligations for FY 2023-24 by \$24,561 and a similar amount in subsequent years.

TABOR Impact: The March 2023 Office of State Planning and Budgeting (OSPB) revenue forecast projects a TABOR surplus liability of \$720.9 million for FY 2023-24 and \$1.2 billion for FY 2024-25 to be refunded to taxpayers out of the General Fund. Legislation that increases non-exempt revenue (such as cash funds) will increase the TABOR refund from the General Fund. The budget package includes a set aside of \$30.0 million General Fund for ongoing appropriations and \$469.0 million General Fund for bills that create one-time obligations in FY 2023-24.

This bill is estimated to increase cash fund revenues by \$22,126 in FY 2023-24 and FY 2024-25, which will reduce the available General Fund in each fiscal year by equal amounts. This bill *increases* the TABOR refund made out of the General Fund by \$22,216 for FY 2023-24, reducing the \$30.0 million General Fund set aside for FY 2023-24 by the same amount.

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. This bill *reduces* ongoing General Fund obligations by \$24,561 in FY 2023-24 and a similar amount in subsequent years.