

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING MATERNAL HEALTH.

Prime Sponsors: Reps. Garcia and Jodeh
Sens. Buckner and Michaelson Jenet

JBC Analyst: Kelly Shen
Phone: 303-866-5434
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Appropriation Items of Note

Appropriation Required, Amendments in Packet

General Fund/TABOR 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 03/25/24.

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

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.006/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.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$328,946 General Fund to the Department of Public Health and Environment for FY 2024-25, based on the assumption that the Department will require an additional 0.8 FTE. This provision also appropriates a total of \$293,366 to the Department of Regulatory Agencies for FY 2024-25, including \$285,667 General Fund and \$7,699 cash funds from the Division of

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JBC Staff Analysis

Professions and Occupations Cash Fund. Of this amount, \$64,010 is further appropriated to the Department of Law and \$16,400 is further appropriated to the Office of Information Technology within the Governor's Office. This provision is based on the assumption that the Department of Regulatory Agencies will require an additional 3.1 FTE and the Department of Law will require an additional 0.3 FTE.

L.006 and J.002

Bill Sponsor amendment **L.006** (attached) removes pregnancy as a protected class, therefore reducing the projected workload for the Civil Rights Division within the Department of Regulatory Agencies. As a result, staff has prepared amendment **J.002** (attached) to add a provision appropriating \$328,946 General Fund to the Department of Public Health and Environment for FY 2024-25, based on the assumption that the Department will require an additional 0.8 FTE. This provision also appropriates a total of \$118,771 to the Department of Regulatory Agencies for FY 2024-25, including \$111,072 General Fund and \$7,699 cash funds from the Division of Professions and Occupations Cash Fund. Of this amount, \$64,010 is further appropriated to the Department of Law and \$16,400 is further appropriated to the Office of Information Technology within the Governor's Office. This provision is based on the assumption that the Department of Regulatory Agencies will require an additional 1.1 FTE and the Department of Law will require an additional 0.1 FTE.

If the Committee adopts **L.006**, it should also adopt **J.002** but not **J.001**.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2024-25 based on the March 2024 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes \$93.5 million in set-asides for legislation outside of the package (see table below). The budget package accounts for the 15.0 percent reserve associated with the placeholders (a total of \$14.0 million).

General Fund Appropriation Placeholders for Other 2024 Legislation	
Description	FY 2024-25
General Legislative Priorities	\$21,739,130
Legislation for Shared Housing Priorities	42,478,261
Legislation for Shared Workforce and Education Priorities	16,152,110
Legislation for Other Shared Priorities	10,519,130
Legislation for Distributions to Rural Hospitals	2,608,689
TOTAL Placeholders for Other 2024 Legislation	\$93,497,320

The bill requires a General Fund appropriation of \$614,613 for FY 2024-25, reducing the \$93.5 million set aside by the same amount.

If the Committee adopts **L.006**, the bill's required General Fund appropriation would decrease to \$440,018 for FY 2024-25, reducing the \$93.5 million set aside by the same amount.

TABOR/Excess State Revenues Impact

The March 2024 Office of State Planning and Budgeting (OSPB) revenue forecast projects a TABOR surplus liability of \$1.3 billion for FY 2024-25 and \$1.8 billion for FY 2025-26 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.

This bill is estimated to increase cash fund revenues by \$3,815 in FY 2024-25 and FY 2025-26, which will reduce the available General Fund in each fiscal year by an equal amount. This estimate does not change with the adoption of **L.006**.