

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE "UNIFORM GUARDIANSHIP, CONSERVATORSHIP, AND OTHER PROTECTIVE ARRANGEMENTS ACT".

Prime Sponsors: Senator Gardner

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**Appropriation Items of Note**

**Appropriation Required, Amendment in Packet**

**General Fund/TABOR 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 03/25/24.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<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 Judiciary Committee Report (03/27/24) 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
L.015	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 a total of

## SB24-136

## JBC Staff Analysis

\$2,548,335 General Fund to the Judicial Department for FY 2024-25, including \$2,205,097 for use by Courts Administration and \$343,238 for use by the Office of Public Guardianship. This provision also states that the appropriation is based on the assumption that Courts Administration will require an additional 12.9 FTE and the Office of Public Guardianship will require an additional 4.2 FTE.

**L.015** Bill Sponsor amendment **L.015** (attached) moves the effective date of the bill to July 1, 2026. Legislative Council Staff and JBC Staff agree that this moves the fiscal impact identified in the Fiscal Note out by two years; therefore, no appropriation is necessary for FY 2024-25.

**If the Committee adopts L.015, it should NOT adopt 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 \$63.1 million in set-asides for legislation outside of the package. The budget package accounts for the 15.0 percent reserve associated with the placeholders (a total of \$9.5 million).

This bill requires a General Fund appropriation of \$2,548,335 for FY 2024-25, reducing the \$63.1 million set aside by the same amount. If amendment L.015 is adopted, no appropriation is required for FY 2024-25 or FY 2025-26; an appropriation of approximately \$3.1 million General Fund will be required for FY 2026-27 and years thereafter, reducing the amount of General Fund available for other purposes.

#### *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. The budget package includes a set aside of \$63.1 million General Fund for appropriations in FY 2024-25.

This bill is estimated to increase cash fund revenues and increases the TABOR refund made out of the General Fund by \$54,178 in FY 2024-25 and years thereafter. The net General Fund impact from the appropriation and cash fund revenues totals \$2,602,513, reducing the \$63.1 million General Fund set aside for FY 2024-25 by the same amount. If amendment L.015 is adopted, this TABOR impact is also eliminated for FY 2024-25 and FY 2025-26.