

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING STANDARDIZATION OF ELECTRIC VEHICLE CHARGING STATIONS, AND, IN CONNECTION THEREWITH, ESTABLISHING THE ELECTRIC VEHICLE ENTERPRISE AND THE ELECTRIC VEHICLE ENTERPRISE SPECIAL REVENUE FUND.

Prime Sponsors: Sens. Priola and Winter F.  
Reps. Mauro and Rutinel

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Date Prepared: April 24, 2024

**Appropriation Items of Note**

**Appropriation Not Required, No Amendment in Packet**

**General Fund Impact**

**New Cash Fund w/Continuous Appropriation**

**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 04/22/24.

XXX	<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 Finance Committee Report (04/23/24) 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**

Amendment	Description
None.	

**Current Appropriations Clause in Bill**

The bill neither requires nor contains an appropriation clause for FY 2024-25.

**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 (OSP) revenue forecast. The budget package includes \$63.1 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 \$9.5 million).

General Fund Appropriation Placeholders for Other 2024 Legislation	
Description	FY 2024-25
General Legislative Priorities	\$21,739,130
Legislation for Shared Housing Priorities	12,043,478
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
<b>TOTAL Placeholders for Other 2024 Legislation</b>	<b>\$63,062,537</b>

This bill requires a General Fund transfer of \$354,361 for FY 2024-25, reducing the \$63.1 million set aside by the same amount.

*Technical Issues*

As drafted, the bill transfers \$264,000 in FY 2024-25 and \$160,000 in FY 2025-26 from the General Fund to the Electric Vehicle Enterprise Special Revenue Fund. However, the fiscal note estimates that a transfer of \$354,361 is required in the first year, and assumes that this amount will be transferred.

*Legislative Appropriation Authority*

Continuous spending authority, also known as **continuous appropriation**, allows state agencies to spend money for statutorily specified purposes up to the total amount available in a specified fund source without seeking further legislative approval through the budget process.

The term *appropriation* is broadly understood as expressing or conveying legal spending authority. However, the term *appropriation* also inherently expresses fundamental legislative fiscal authority by communicating a *limit* on or maximum amount of spending from a specified fund source for a defined period such as a fiscal year. While continuous spending authority also expresses or conveys legal spending authority it does so by eliminating legislative fiscal authority and oversight.

An annual appropriation provides a limit on spending authority, while a continuous appropriation

## **SB24-208**

## **JBC Staff Analysis**

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.

Is it necessary for the Department of Labor and Employment to **not** seek annual authority from the General Assembly to spend money from the Electric Vehicle Enterprise Special Revenue Fund?