

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING MEASURES TO EFFECTUATE THE CONSERVATION OF NATIVE SPECIES IN COLORADO, AND, IN CONNECTION THEREWITH, MAKING APPROPRIATIONS FROM THE SPECIES CONSERVATION TRUST FUND FOR PURPOSES RECOMMENDED BY THE DEPARTMENT OF NATURAL RESOURCES.

Prime Sponsors: Reps. Vigil and Coram  
Sens. Sonnenberg and Garcia

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Date Prepared: May 9, 2016

**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 04/28/16.

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

**Amendments in This Packet for Consideration by Appropriations Committee**

Amendment	Description
None.	

**Current Appropriations Clause in Bill**

The bill includes a clause authorizing the expenditure of \$3.0 million from the Species Conservation Trust Fund, administered by Department of Natural Resources, for FY 2016-17. No additional appropriations are required.

**Points to Consider**

*Related Budget Information*

Pursuant to Section 39-29-109.3 (2) (e) (IX) (A), C.R.S., the Species Conservation Trust Fund is authorized to receive a transfer of up to \$5.0 million from Tier II of the Severance Tax Operational Fund in FY 2016-17. However, this transfer is subject to proportional reductions if there is insufficient revenue for authorized distributions to Tier II programs. Based on the March 2016 Legislative Council Staff revenue forecast, the Species Conservation Trust Fund is projected to receive approximately \$880,000 in the upcoming fiscal year under current law. This reflects projected proportional reductions of 82.4 percent to Tier II programs in FY 2016-17. As discussed on page one of the attached LCS Fiscal Note, the anticipated reduction in severance tax revenue will

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## **JBC Staff Analysis**

require expenditures in this bill to be partially supported by the existing unobligated fund balance in the Species Conservation Trust Fund.

Please note, however, that the amount of the Tier II transfer can be affected by other legislation under consideration by the General Assembly. Specifically, if S.B. 16-218 (State Severance Tax Refunds) is enacted as introduced, \$10.0 million in the Severance Tax Operational Fund will be restricted or encumbered until released by a majority vote of the Joint Budget Committee. This is projected to eliminate all Tier II transfers in FY 2016-17, including the transfer to the Species Conservation Trust Fund. This would require that all expenditures authorized in the bill be supported by the unobligated balance in the Species Conservation Trust Fund.