

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING REQUIRING THE STATE COURT ADMINISTRATOR TO ADMINISTER A DIVISION TO REMIND CRIMINAL DEFENDANTS TO APPEAR IN COURT AS SCHEDULED.

Prime Sponsors: Reps. Benavidez and Lee
Senator Cooke

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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 02/28/18.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	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

The Revised Fiscal Note indicates that the entire \$261,309 appropriation for this bill for FY 2018-19 should be from the General Fund. However, the bill's \$194,208 computer programming cost in FY 2018-19 can also be appropriated from the Judicial Department Information Technology Cash Fund created in Section 13-32-114 (1), C.R.S., with the remaining FY 2018-19 cost of \$67,101 appropriated from the General Fund. According to statute, the Judicial Department Information Technology Cash Fund can be used for "any expenses related to the [judicial] department's information technology needs." The remaining FY 2018-19 costs of \$67,101 or the costs in subsequent years may not be appropriated from the Judicial Department Information Technology Cash Fund because they are program-operation costs, not IT costs. Legislative Council Staff agrees with this analysis.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
J.002	Alternate 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 appropriating \$261,309 General Fund to the Judicial Department for FY 2018-19. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.4 FTE. This appropriation corresponds to the appropriation indicated in the Legislative Council Staff Revised Fiscal Note.

J.002 Staff has also prepared amendment **J.002** (attached) to add a provision appropriating a total of \$261,309 to the Judicial Department for FY 2018-19, comprised of \$67,101 General Fund and \$194,208 cash funds from the Judicial Department Information Technology Cash Fund created in Section 13-32-114 (1), C.R.S. This provision also states that the General Fund portion of the appropriation is based on the assumption that the Department will require an additional 0.4 FTE.

The Committee should adopt either J.001 or J.002 but should not adopt both.

Points to Consider*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2018-19 based on the March 2018 Office of State Planning and Budgeting revenue forecast. The budget package leaves approximately \$40.8 million General Fund unallocated. Thus, the General Assembly could appropriate up to \$38.3 million General Fund to fund 2018 legislation and maintain a 6.5 percent General Fund reserve. If amendment J.001 is adopted, this bill will include a General Fund appropriation of \$261,309 for FY 2018-19, which will reduce the excess General Fund reserve by \$278,294. If amendment J.002 is adopted, this bill will include a General Fund appropriation of \$67,101 for FY 2018-19, which will reduce the excess General Fund reserve by \$71,463.