



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 18-1101

**FINAL
FISCAL NOTE**

Drafting Number:	LLS 18-0853	Date:	June 11, 2018
Prime Sponsors:	Rep. Hamner Sen. Lambert	Bill Status:	Signed into Law
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Bill Topic: RETAIL MARIJUANA SALES TAX APPROPS FOR SCHOOLS

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires annual appropriation by the General Assembly of retail marijuana sales tax revenue in the State Public School Fund.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the enacted bill.

Summary of Legislation

Under current law, state retail marijuana sales tax revenue is deposited in the General Fund. After 10 percent of that tax revenue is allocated to local governments, 12.59 percent of the remaining revenue is transferred to the State Public School Fund. Money in the fund is continuously appropriated to the Colorado Department of Education for the same fiscal year in which the money is transferred.

This bill eliminates the continuous appropriation of this revenue in the same fiscal year in which the revenue is transferred. Beginning with FY 2019-20, the General Assembly may only appropriate the transferred revenue in the fiscal year following the transfer.

Background

Based on the December 2017 Legislative Council Staff revenue forecast, for FY 2018-19, approximately \$20.6 million will transfer from the General Fund to the State Public School Fund. For FY 2019-20, the anticipated transfer is \$22.4 million.

State Expenditures

The bill changes the appropriation authority over marijuana sales tax revenue transferred to the State Public School Fund. This appropriation authority does not change the total amount of the state share of school finance provided by the General Assembly.

Effective Date

The bill was signed into law by the Governor and took effect on March 15, 2018.

State and Local Government Contacts

Education