

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE CREATION OF THE HEALTH AND WELLNESS THROUGH COMPREHENSIVE QUALITY PHYSICAL EDUCATION INSTRUCTION PILOT PROGRAM.

Prime Sponsors: Reps. Buckner and Wilson  
Sens. Todd and Priola

JBC Analyst: Craig Harper  
Phone: 303-866-3481  
Date Prepared: April 25, 2019

**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 02/26/19.

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 Education Committee Report (03/07/19) 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
J.001	Staff-prepared appropriation amendment
L.003/J.002	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 \$106,995 General Fund to the Department of Education for FY 2019-20. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.7 FTE.

**L.003 and J.002**

Bill Sponsor amendment **L.003** (attached) includes the following changes to the bill:

## HB19-1161

## JBC Staff Analysis

- Clarifies that the grants under the pilot program are subject to available appropriations.
- Reduces the number of pilot schools from thirty in the introduced bill to fifteen in amendment L.003.
- Specifies that the General Assembly shall appropriate \$1,100,000 cash funds from the Marijuana Tax Cash Fund to the Department of Education to implement the pilot program in FY 2019-20 and makes that money available to the Department (without further appropriation) through FY 2023-24.
- Adds this pilot program as a specifically authorized use of the Marijuana Tax Cash Fund.

Staff has prepared amendment **J.002** (attached) to add a provision appropriating \$1,100,000 cash funds from the Marijuana Tax Cash Fund to the Department of Education for FY 2019-20. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.7 FTE.

**If the Committee adopts amendment L.003 then it should adopt amendment J.002 and should not adopt amendment J.001.**

### Points to Consider

#### *General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2019-20 based on the March 2019 Legislative Council Staff revenue forecast. The budget package leaves approximately \$47.9 million General Fund unallocated. Thus, the General Assembly could appropriate up to \$44.7 million General Fund to fund 2019 legislation and maintain a 7.25 percent General Fund reserve. This bill requires a General Fund appropriation of \$106,995 for FY 2019-20, reducing the excess General Fund reserve by \$114,752.

#### *Future Fiscal Impact*

In addition to the General Fund impact in FY 2019-20, this bill is projected to require General Fund appropriations of \$3,013,373 per year for FY 2020-21 through FY 2022-23.

#### *Revenue Source/ Related Budget Information*

With sponsor amendment L.003, this bill requires an appropriation of \$1.1 million cash funds from the Marijuana Tax Cash Fund to the Department of Education for FY 2019-20. A total of \$158.9 million is projected to be available in the Marijuana Tax Cash Fund for appropriation in FY 2019-20, based on the March 2019 Legislative Council Staff revenue forecast. As detailed below, the FY 2019-20 budget package introduced by the Joint Budget Committee, as amended by General Assembly action on the Long Bill, leaves \$28.1 million available.

Total funds projected to be available for FY 2019-20	\$ 158,948,672
Less: Long Bill (S.B. 19-207) appropriations	(130,043,950)
Less: Transfers in/(out) under current law and S.B. 19-213	<u>(803,348)</u>
Funds remaining available	\$ 28,101,374