CONCERNING MEASURES BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO PROTECT THE PUBLIC FROM CERTAIN HAZARDOUS SUBSTANCES.

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Appropriation Items of Note

Appropriation Required, Amendment in Packet

General Fund/TABOR Impact

New Cash Fund (with 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 06/06/20.

| No Change: | Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill |
| XXX Update: | Fiscal impact has changed due to new information or technical issues |
| Update: | Fiscal impact has changed due to amendment adopted after LCS Fiscal Note was prepared |
| Non-Concurrence: | JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill |

The Fiscal Note dated June 6, 2020 includes a typographical error, incorrectly identifying revenue in Table 1 as General Fund revenue. This revenue is derived from fees on fuel products and should be categorized as cash fund revenue, as discussed on page 3 of the Fiscal Note. This correction does not affect the appropriations required for this bill. Legislative Council Staff agrees with this technical update.

The Finance Committee Report (06/06/20) 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

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JBC Staff Fiscal Analysis 1
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 a total of $156,480 General Fund to the Department of Revenue for FY 2020-21. The amendment also provides an appropriation of $1,523,380 cash funds from the Hazardous Materials Safety Fund to the Department of Public Safety for FY 2020-21.

Points to Consider

General Fund Impact
The Joint Budget Committee has proposed a budget package for FY 2020-21 based on the following:

• the May 12, 2020, Office of State Planning and Budgeting revenue forecast;
• a school finance bill placeholder for a reduction of $723.8 million General Fund;
• a placeholder for the reduction of $202.0 million General Fund through one or more non-JBC package bills; and
• an adjusted statutory General Fund reserve percentage of 3.84 percent equal to $402.0 million.

This bill requires a General Fund appropriation of $156,480 for FY 2020-21, thereby decreasing the proposed fiscal year-end General Fund reserve or increasing the proposed placeholder reductions by the same amount.

Legislative Authority
Is it necessary to "continuously appropriate" money in the Perfluoroalkyl and Polyfluoroalkyl Substances Cash Fund? This method of funding essentially moves related expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process.