

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING CREATION OF THE IMMIGRATION LEGAL DEFENSE FUND, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Tipper and Ricks
Senator Moreno

JBC Analyst: Amanda Bickel
Phone: 303-866-4960
Date Prepared: May 27, 2021

Appropriation Items of Note

Appropriation Already Added to Bill, Amendment in Packet

General Fund Impact

New Cash Fund (with Continuous Appropriation)

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 05/03/21.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	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 House Appropriations Committee Report (05/07/21), adopted by the House on second reading, includes amendments to the bill that clarify that the Immigration Legal Defense Fund is continuously appropriated to the Department of Labor and Employment. This amendment eliminated the need for an appropriation *from* this fund but did not otherwise change the bill's fiscal impact. The Senate Judiciary Committee Report (5/20/21) also 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.003	Bill Sponsor amendment - changes appropriation

Current Appropriations Clause in Bill

The bill includes an appropriation of \$100,000 General Fund to the Immigration Legal Defense Fund for FY 2021-22.

Description of Amendments in This Packet

J.003 Bill Sponsor amendment **J.003** (attached) increases the appropriation to the Immigration Legal Defense Fund to \$200,000 General Fund for FY 2021-22.

Points to Consider*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2021-22 based on the March 2021 Legislative Council Staff revenue forecast. The budget package includes a set aside of \$48.0 million General Fund for bills that require General Fund appropriations for FY 2021-22. This bill requires a General Fund appropriation of \$100,000 for FY 2021-22, reducing the \$48.0 million set aside by the same amount. Bill Sponsor amendment J.003 increases the appropriation to \$200,000 General Fund.

Legislative Authority

Is it necessary to "continuously appropriate" money in the Immigration Legal Defense Fund, as specified if L.002 is adopted? This method of funding essentially moves related expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process.