

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING PROGRAMS THAT PROVIDE FUNDING TO IMPROVE SCHOOL SAFETY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Exum and Van Winkle
Sens. Kolker and Hinrichsen

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Appropriation Items of Note

Appropriation Already Added to Bill, No 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 04/21/22.

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

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
None.	

Current Appropriations Clause in Bill

The bill includes a clause that makes the following appropriations for FY 2022-23:

- \$6.0 million General Fund to the School Security Disbursement Program Cash Fund. The appropriation only takes effect if H.B. 22-1120 (School Security Disbursement Program) becomes law.
- \$2.0 million cash funds from the Behavioral and Mental Health Cash Fund to the Department of Education. This appropriation is available to the Department through December 30, 2024, without further appropriation.

- \$6.0 million cash funds from the Behavioral and Mental Health Cash Fund to the Department of Human Services. This appropriation is available to the Department through June 30, 2024, without further appropriation.

Points to Consider*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2022-23 based on the March 2022 Legislative Council Staff revenue forecast. The budget package includes two set-asides:

- \$40.0 million General Fund for bills that create ongoing obligations; and
- \$900.0 million General Fund for bills that create one-time obligations in FY 2022-23.

The \$40.0 million *appropriations* set-aside includes an additional \$6.0 million General Fund to provide a 15.0 percent General Fund reserve for those appropriations. The \$900.0 million *obligations* set-aside does not include an additional amount for a General Fund reserve and, assumes, but does not require, that obligations be addressed through statutory transfers rather than appropriations. Therefore *appropriations* from the \$900.0 million set-aside require an additional 15.0 percent to maintain the statutory General Fund reserve.

This bill creates a one-time obligation to appropriate \$6.0 million General Fund to the School Security Disbursement Program Cash Fund in FY 2022-23, reducing the \$900.0 million set aside for one-time obligations by \$6.9 million (including the necessary reserve associated with the appropriation). As discussed in the Effective Date section of the Legislative Council Staff Fiscal Note, the sections of the bill associated with the School Security Disbursement Program, including this appropriation to the cash fund, only take effect if H.B. 22-1120 (School Security Disbursement Program) becomes law.

Legislative Appropriation Authority

Continuous spending authority, also known as **continuous appropriations**, allows departments to spend money for statutorily specified purposes up to the amount of money in the fund without seeking annual legislative approval. An annual appropriation provides a limit on spending authority, while a continuous appropriation provides unlimited spending authority.

This method of funding moves these expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process. Is it necessary for the Department of Public Safety to **not** seek annual authority from the General Assembly to spend money from School Security Disbursement Program Cash Fund?