# JBC STAFF FISCAL ANALYSIS SENATE APPROPRIATIONS COMMITTEE

CONCERNING MEASURES TO INCREASE PUBLIC PROTECTION FROM TOXIC AIR CONTAMINANTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Kennedy and Gonzales-Gutierrez JBC Analyst: Andrew Forbes

Senator Gonzales Phone: 303-866-2062

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# **Appropriation Items of Note**

### Appropriation Already Added to Bill, Amendment in Packet

## **General Fund Impact**

# 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 04/27/22.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	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 House Appropriations Committee Report (05/03/22) as adopted on second reading in the House, and Senate State, Veterans, & Military Affairs Committee Report (05/09/22) include amendments to the bill. Legislative Council Staff and JBC Staff agree that the amendments do not change the fiscal impact of the bill.

### Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.003	Staff-prepared appropriation amendment

#### **Current Appropriations Clause in Bill**

The bill includes an appropriation clause that provides a total of \$3,135,853 General Fund to the Department of Public Health and Environment for FY 2022-23. Of this amount, \$73,928 is reappropriated to the Department of Law and \$597,228 is reappropriated to the Governor's Office of Information Technology. The provision also states that the appropriation is based on the

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assumption that the Department of Public Health and Environment will require an additional 17.1 FTE and that the Department of Law will require an additional 0.4 FTE.

## **Description of Amendments in This Packet**

**J.003** Staff has prepared amendment **J.003** (attached) to change the existing clause to appropriate the dollars identified to different line items within the Department of Public Health and Environment. This amendment is a net-zero technical change.

#### **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 an ongoing obligation and requires a General Fund appropriation of \$3,135,853 for FY 2022-23, reducing the \$40.0 million set aside by the same amount.