

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING MODIFICATIONS TO CIVIL INVOLUNTARY COMMITMENT STATUTES FOR PERSONS WITH MENTAL HEALTH DISORDERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Amabile and McCluskie
Sens. Moreno and Gardner

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Appropriation Items of Note

Appropriation Already Added to Bill, Amendment in Packet

General Fund Impact

Significant Cost Increase in Second and Third Year

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 04/28/22.

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

The House Appropriations Committee Report (04/29/22), adopted by the House on second reading (05/02/22), added an appropriations clause to the bill that is consistent with the revised fiscal note. The House adopted additional amendments to the bill on second reading, however, 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
L.014	Bill Sponsor amendment - does not change fiscal impact

Current Appropriations Clause in Bill

The bill includes a clause that appropriates a total of \$786,559 to three different departments for FY 2022-23. The appropriations include: (1) \$522,433 General Fund to the Department of Human

Services; (2) \$86,700 General Fund to the Judicial Department; and (3) \$177,426 reappropriated funds (transferred from the Department of Human Services) to the Department of Law to provide legal services to the Department of Human Services. The provision also states that the appropriations are based on the assumption that the Department of Human Services will require an additional 4.5 FTE and the Department of Law will require an additional 1.0 FTE to implement the act.

Description of Amendments in This Packet

L.014 Bill Sponsor amendment **L.014** (attached) makes a technical correction to the bill. Legislative Council Staff and JBC Staff agree that the amendment does not change the fiscal impact of the bill and does not require any change to the 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 an ongoing obligation and requires a General Fund appropriation of \$609,133 for FY 2022-23, reducing the \$40.0 million set aside by the same amount. In addition, the General Fund impact is expected to increase to \$1,560,915 in FY 2023-24 and \$2,478,925 in FY 2024-25.