

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING MEASURES RELATED TO COMPETENCY TO PROCEED.

Prime Sponsors: Reps. Amabile and Soper
Sens. Hansen and Gardner

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Date Prepared: April 27, 2022

Appropriation Items of Note

Appropriation Required, Amendment in Packet

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 04/22/22.

	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>
XXX	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 Judiciary Committee Report (04/26/22) includes a number of changes to the bill. Specific to the fiscal impact, the report added a provision to the bill requiring the following appropriations to the Department of Human Services for FY 2022-23: (1) \$30,000,000 cash funds from the Economic Recovery and Relief Cash Fund to contract for additional inpatient beds; and (2) \$800,000 cash funds from the Behavioral and Mental Health Cash Fund for a feasibility study of renovating a facility in Adams County to provide inpatient beds for competency services. Legislative Council Staff and JBC Staff agree that the amendments require the appropriation of a total of \$30,800,000 cash funds.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.005/J.002	Bill Sponsor amendment - changes fiscal impact <i>and</i> appropriation

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 \$30,800,000 cash funds to the Department of Human Services for FY 2022-23, as required by the Judiciary Committee Report. The appropriation includes \$30,000,000 from the Economic Recovery and Relief Cash Fund and \$800,000 from the Behavioral and Mental Health Cash Fund. The provision also states that any amount unspent at the end of FY 2022-23 is available to the Department through December 30, 2024, without further appropriation.

L.005 and J.002

Bill Sponsor amendment **L.005** (attached) modifies the Judiciary Committee Report to reduce the required appropriation to contract for inpatient beds from \$30,000,000 to \$28,562,828 cash funds from the Economic Recovery and Relief Cash Fund. The amendment does not change the requirement to appropriate \$800,000 for a feasibility study related to Adams County. The amendment also adds requirements associated with the feasibility study, strikes the petition clause from the Judiciary Committee Report, and inserts an effective date (July 1, 2022) and a safety clause.

Staff has prepared amendment **J.002** (attached) to add a provision appropriating a total of \$29,362,828 cash funds to the Department of Human Services for FY 2022-23, including \$28,562,828 from the Economic Recovery and Relief Cash Fund and \$800,000 from the Behavioral and Mental Health Cash Fund. Like amendment J.001, the provision also states that any amount unspent at the end of FY 2022-23 is available to the Department through December 30, 2024, without further appropriation.

If the Committee adopts amendment L.005 then it should adopt amendment J.002 and should not adopt amendment J.001.

Points to Consider

None.