

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING PERMITTING A RETAIL ESTABLISHMENT TO SERVE COMPLEMENTARY ALCOHOL BEVERAGES AT A PLACE OF BUSINESS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Daugherty and Taggart
Senator Zenzinger

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Phone: 303-866-4386
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Appropriation Items of Note

Appropriation Already Added to Bill, No Amendment in Packet

General Fund/TABOR 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 03/06/23.

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 reengrossed bill includes an appropriation amendment to the bill that was adopted on second reading in the House (03/11/23). This appropriation is consistent with the attached fiscal note.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
None.	

Current Appropriations Clause in Bill

The bill includes an appropriation clause that appropriates a total of \$98,744 cash funds from the Liquor Enforcement Division and State Licensing Authority Cash Fund to the Department of Revenue for FY 2023-24. This provision also states that the appropriation is based on the assumption that the Department will require an additional 1.4 FTE to implement the act.

Points to Consider*TABOR/ Excess State Revenues Impact*

The March 2023 Office of State Planning and Budgeting (OSPB) revenue forecast projects a TABOR surplus liability of \$720.9 million for FY 2023-24 and \$1.2 billion for FY 2024-25 to be refunded to taxpayers out of the General Fund. Legislation that increases non-exempt revenue (such as cash funds) will increase the TABOR refund from the General Fund. The budget package includes a set aside of \$30.0 million General Fund for ongoing appropriations and \$469.0 million General Fund for bills that create one-time obligations in FY 2023-24.

This bill is estimated to increase cash fund revenues by \$238,368 in FY 2023-24 and by \$357,551 in FY 2024-25, which will reduce the available General Fund in each fiscal year by equal amounts. This bill increases the TABOR refund made out of the General Fund by \$238,368 for FY 2023-24, reducing the \$30.0 million General Fund set aside for FY 2023-24 by the same amount. Additionally, this bill is estimated to increase General Fund revenues by \$8,745 in FY 2023-24 and by \$13,118 in FY 2024-25, which will result in an increase in the TABOR surplus liability of equal amounts.