

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE HIGH-VISIBILITY ALCOHOL AND DRUG IMPAIRED DRIVING ENFORCEMENT PROGRAM.

Prime Sponsors: Reps. Evans and Bird  
Sens. Roberts and Hansen

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Date Prepared: April 5, 2023

**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 02/09/23.

|            |  |
|------------|--|
| <b>XXX</b> | <b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill                 |
|            | <b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>                   |
|            | <b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared  |
|            | <b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill |

The Judiciary Committee Report (02/15/23) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

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

| <b>Amendment</b> | <b>Description</b>  |
|------------------|---|
| J.001            | Staff-prepared appropriation amendment                                  |
| L.003/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 \$1.5 million cash funds from the Marijuana Tax Cash Fund to the Department of Transportation for FY 2023-24.

**L.003 and J.002**

Bill Sponsor amendment **L.003** (attached) changes the fund source for the required \$1.5 million annual appropriation from the Marijuana Tax Cash Fund to the Highway Users Tax Fund. Staff has prepared amendment **J.002** to add a provision appropriation \$1.5 million from the Highway Users Tax Fund to the Department of Transportation for FY 2023-24.

**If the Committee adopts L.003, it should also adopt J.002 and NOT adopt J.001.**

**Points to Consider***Fund Source*

The Joint Budget Committee has proposed a budget package for FY 2023-24 based on the March 2023 Office of State Planning and Budgeting (OSPB) revenue forecast. Based on that forecast, the appropriations in the budget package would leave an estimated \$131,444 available in the Marijuana Tax Cash Fund (MTCF) above the fund's statutory reserve requirements. The introduced bill would require an appropriation of \$1,500,000 million from the MTCF, which would reduce the projected fund balance \$1,368,556 below the statutory reserve requirements and require MTCF appropriations for other programs to be reduced by that amount to maintain the required reserve.