

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE COST OF COMMUNICATIONS SERVICES FOR PERSONS IN CUSTODY.

Prime Sponsors: Reps. Lindsay and Amabile
Sens. Gonzales and Rodriguez

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Appropriation Items of Note

Appropriation Required, Amendments 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 04/10/23.

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

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
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 \$2,912,114 General Fund to the Department of Corrections (DOC) for FY 2023-24.

L.003 and J.002

Bill Sponsor amendment **L.003** (attached) requires the DOC to cover the cost of phone calls

HB23-1133

JBC Staff Analysis

only and excludes video calls and electronic mail or messaging. The amendment also requires the DOC to cover only a portion of the cost of phone calls in the first two years of implementation: 25.0 percent in FY 2023-24 (September through June) and 35.0 percent in FY 2024-25. The amendment requires the DOC to cover 100.0 percent of the cost of phone calls in FY 2025-26.

Amendment **J.002** (attached) adds a provision appropriating \$229,783 General Fund to the Department of Corrections in FY 2023-24, which is consistent with the Legislative Council Staff analysis of the fiscal impact of the bill with sponsor amendment L.003 (see attached memo from Legislative Council Staff, dated April 11, 2023).

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

Points to Consider

General Fund Impact

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. The budget package includes two set-asides for legislation outside of the package: (1) \$30.0 million General Fund for bills that create ongoing obligations; and (2) \$469.0 million for bills that create one-time obligations for FY 2023-24 (see table below).

General Fund Appropriation Placeholders for Other 2023 Legislation	
Description	FY 2023-24
Legislation with Ongoing Fiscal Impacts	\$30,000,000
Legislation with One-time Fiscal Impacts	
Workforce-related legislation, including free credentials, math scholarships, adult education, and concurrent enrollment	103,000,000
Housing-related legislation, including property tax relief, land use, and public-private partnerships	221,000,000
Legislation related to topics other than workforce and housing, including rural opportunity, line of duty loss, and Proposition 122 implementation	145,000,000
Subtotal	\$469,000,000
TOTAL Placeholders for Other 2023 Legislation	\$499,000,000

The budget package accounts for the 15.0 percent reserve associated with the above placeholders (a total of \$74.9 million).

If amendment **L.003** is not adopted, this bill creates an ongoing obligation and requires a General Fund appropriation of \$2,912,114 for FY 2023-24, reducing the \$30.0 million set aside by the same

HB23-1133

JBC Staff Analysis

amount.

If amendment **L.003** is adopted, this bill creates an ongoing obligation and requires a General Fund appropriation of \$229,783 for FY 2023-24, reducing the \$30.0 million set aside by the same amount.

Future Fiscal Impact

If amendment **L.003** is not adopted, the bill is projected to require General Fund appropriations of \$3,494,537 in FY 2024-25.

If amendment **L.003** is adopted, the bill is projected to require General Fund appropriations of \$386,034 in FY 2024-25 and \$1,102,956 in FY 2025-26.