

JOINT BUDGET COMMITTEE



STAFF FIGURE SETTING FY 2024-25

DEPARTMENT OF REGULATORY AGENCIES

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

PREPARED BY:
KELLY SHEN, JBC STAFF
FEBRUARY 16, 2024

JOINT BUDGET COMMITTEE STAFF
200 E. 14TH AVENUE, 3RD FLOOR • DENVER • COLORADO • 80203
TELEPHONE: (303) 866-2061 • TDD: (303) 866-3472
<https://leg.colorado.gov/agencies/joint-budget-committee>

TABLE OF CONTENTS

Department Overview	1
Summary of Staff Recommendations.....	2
Description of Incremental Changes.....	2
Major Differences from the Request.....	4
Decision Items Affecting Multiple Divisions	4
(1) Executive Director’s Office and Administrative Services.....	5
Line Item Detail — Executive Director’s Office	5
(2) Division of Banking.....	21
Decision Items - Division of Banking.....	21
➔ R1 Increase Banking Staff in Response to Industry Growth	21
Line Item Detail - Division of Banking	26
(3) Civil Rights Division.....	29
Decision Items - Civil Rights Division.....	29
Line Item Detail - Civil Rights Division	29
(4) Office of the Utility Consumer Advocate.....	33
Decision Items - Office of the Utility Consumer Advocate.....	33
Line Item Detail - Office of the Utility Consumer Advocate.....	33
(5) Division of Financial Services.....	36
Decision Items - Division of Financial Services.....	36
Line Item Detail - Division of Financial Services.....	36
(6) Division of Insurance.....	39
➔ Waiver Request: Prescription Drug Monitoring Cash Fund	39
Line Item Detail - Division of Insurance	40
(7) Public Utilities Commission	45
Decision Items – Public utilities Commission	45
Line Item Detail - Public Utilities commission.....	45
(8) Division of Real Estate	51
Decision Items - Division of Real Estate	51
Line Item Detail - Division of Real Estate.....	51
(9) Division of Professions and Occupations.....	55
Decision Items - Division of Professions and Occupations.....	55
➔ Waiver Request: Division of Professions and Occupations Cash Fund.....	55
(10) Division of Securities	60

Decision Items - Division of Securities	60
Line Item Detail - Division of Securities	60
(11) Division of Conservation.....	63
Decision Items - Division of Conservation.....	63
Line Item Detail - Division of Conservation	63
Long Bill Footnotes and Requests for Information	65
Long Bill Footnotes	65
Requests for Information.....	65
Appendix A: Numbers Pages.....	A-1
Appendix B: Indirect Cost Methodology	B-1

HOW TO USE THIS DOCUMENT

The Department Overview contains a table summarizing the staff recommended incremental changes followed by brief explanations of each incremental change. A similar overview table is provided for each division, but the description of incremental changes is not repeated, since it is available under the Department Overview. More details about the incremental changes are provided in the sections following the Department Overview and the division summary tables. Decision items, both department-requested items and staff-initiated items, are discussed either in the Decision Items Affecting Multiple Divisions or at the beginning of the most relevant division.

In some of the analysis of decision items in this document, you may see language denoting certain 'levels of evidence', e.g. theory-informed, evidence-informed, or proven. For a detailed explanation of what is meant by 'levels of evidence', and how those levels of evidence are categorized, please refer to Section 2-3-210 (2), C.R.S.

DEPARTMENT OVERVIEW

This staff figure setting recommendations document includes the following eleven units within the Department of Regulatory Agencies (DORA):

- The **Executive Director's Office** provides administrative and technical support for the Department's divisions and programs, including functions associated with accounting, purchasing, budgeting, communications, legislative services, and human resources. The Office also includes the Colorado Office of Policy, Research, and Regulatory Reform, which conducts sunrise and sunset reviews.
- The **Division of Banking** regulates state-chartered commercial banks, trust companies, money transmitters, and national and interstate banks that maintain public deposit accounts in Colorado.
- The **Division of Civil Rights** enforces Colorado's anti-discrimination laws pertaining to employment, housing, and public accommodations.
- The **Office of the Utility Consumer Advocate** represents the public interest and the specific interests of residential, small business, and agricultural consumers in rate and rulemaking cases before the Public Utilities Commission, federal agencies, and the courts.
- The **Division Financial Services** examines and supervises state-chartered credit unions and savings and loan associations, enforces the Savings and Loan Public Deposit Protection Act, and regulates certain financial activities of life care institutions.
- The **Division of Insurance** regulates companies and agents providing health insurance, property and liability insurance (homeowners and automobile), life insurance, and title insurance.
- The **Public Utilities Commission** regulates investor-owned electric, natural gas, telecommunications, and private water utilities, and motor vehicle carriers for hire.
- The **Division of Real Estate** licenses real estate agents, appraisers, and mortgage loan originators and registers mortgage companies and homeowners' associations.
- The **Division of Professions and Occupations** regulates more than 500,000 licensees in over 50 professions, occupations, and businesses to ensure a basic level of competence and protect the public welfare.
- The **Division of Securities** monitors the conduct of broker-dealers and sales representatives, investigates citizen complaints, and investigates indicators of investment fraud.
- The **Division of Conservation**, in conjunction with the Conservation Easement Oversight Commission, certifies conservation easement holders and conservation easement tax credit certificates.

SUMMARY OF STAFF RECOMMENDATIONS

DEPARTMENT OF REGULATORY AGENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$138,584,338	\$12,787,372	\$116,965,541	\$7,090,380	\$1,741,045	678.2
HB 24-1198 (Supplemental)	715,891	27,571	669,907	12,820	5,593	0.0
Other Legislation	3,254,517	764,274	2,473,592	16,651	0	20.2
TOTAL	\$142,554,746	\$13,579,217	\$120,109,040	\$7,119,851	\$1,746,638	698.4
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$142,554,746	\$13,579,217	\$120,109,040	\$7,119,851	\$1,746,638	698.4
R1 Increase banking staff	575,780	0	575,780	0	0	4.6
Centrally appropriated line items	9,724,030	187,081	8,840,182	541,676	155,091	0.0
Non-prioritized decision items	676,279	19,418	604,638	52,223	0	0.0
Annualize prior year budget actions	(10,010,111)	(9,987,268)	(55,850)	33,007	0	0.0
Annualize prior year legislation	(177,639)	(403,910)	235,589	(3,725)	(5,593)	2.1
Indirect cost assessment	(52,000)	0	(50,177)	0	(1,823)	0.0
TOTAL	\$143,291,085	\$3,394,538	\$130,259,202	\$7,743,032	\$1,894,313	705.1
INCREASE/(DECREASE)	\$736,339	(\$10,184,679)	\$10,150,162	\$623,181	\$147,675	6.7
Percentage Change	0.5%	(75.0%)	8.5%	8.8%	8.5%	1.0%
FY 2024-25 EXECUTIVE REQUEST	\$153,274,515	\$13,447,868	\$130,170,916	\$7,759,575	\$1,896,156	705.1
Request Above/(Below) Recommendation	\$9,983,430	\$10,053,330	(\$88,286)	\$16,543	\$1,843	0.0

DESCRIPTION OF INCREMENTAL CHANGES

R1 INCREASE BANKING STAFF: Staff recommends an appropriation of \$575,780 from the Division of Banking Cash Fund and 4.6 FTE in FY 2024-25, which increases to \$676,910 and 5.0 FTE in FY 2025-26 and ongoing, in order to support an increased workload due to the growth of the Colorado regulated financial institution industry. The Division proposes to hire five additional financial/credit examiners (FCEs) and fund operating expenses that include travel and training for the new staff.

CENTRALLY APPROPRIATED LINE ITEMS: The recommendation includes a combination of previously acted on and pending adjustments to centrally appropriated line items and would increase total funds by \$9,724,030 primarily attributed to a \$8,840,182 increase in cash funds. Staff will reflect the Committee's final common policy decisions for all centrally appropriated items in the Long Bill.

The largest increase, an AED/SAED adjustment, is a result of combining two separate AED and SAED lines into one. Towards the bottom of the below table, there is a corresponding \$2.4 million reduction in the AED line and \$2.4 million reduction in the SAED line.

The following table itemizes each requested centrally appropriated line item change.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
AED and SAED adjustment	\$5,305,504	\$177,466	\$4,656,900	\$372,082	\$99,056	0.0
Salary survey	1,973,626	67,188	1,732,467	137,846	36,125	0.0
Legal services	1,829,436	0	1,829,436	0	0	0.0

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Payments to OIT	1,764,735	0	1,764,735	0	0	0.0
Step Plan	1,474,872	18,725	1,291,443	118,259	46,445	0.0
Health, life, and dental	1,057,059	27,211	863,053	124,514	42,281	0.0
PERA Direct Distribution	919,558	51,137	802,153	66,268	0	0.0
Paid Family & Medical Leave Insurance	238,748	7,985	209,561	16,744	4,458	0.0
NP1 Annual fleet vehicle request	86,512	0	86,512	0	0	0.0
Workers' compensation	63,551	2,086	58,419	2,213	833	0.0
ALJ services	35,717	1,614	34,103	0	0	0.0
Risk management & property adjustment	23,598	794	21,640	810	354	0.0
Short-term disability	9,122	383	6,878	1,421	440	0.0
AED	(2,378,612)	(76,902)	(2,125,689)	(140,733)	(35,288)	0.0
SAED	(2,378,612)	(76,902)	(2,125,689)	(140,733)	(35,288)	0.0
CORE adjustment	(202,673)	(7,853)	(181,907)	(10,437)	(2,476)	0.0
Health, life, dental true-up	(98,111)	(5,851)	(83,833)	(6,578)	(1,849)	0.0
TOTAL	\$9,724,030	\$187,081	\$8,840,182	\$541,676	\$155,091	0.0

NON-PRIORITIZED DECISION ITEMS: The recommendation for this item, which includes a request for \$676,279 total funds from the Department of Personnel for six new central services, is pending. The Committee will take action on this item during the figure setting presentation by Committee staff for the Department of Personnel.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS: The recommendation includes a net decrease of \$10.0 million total funds, primarily composed of decrease in \$10.0 million from the Division of Insurance Cash Fund to annualize a FY 2023-24 Long Bill amendment that made a one-time appropriation of \$10.0 million to the Reinsurance Program Cash Fund.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY16-17 R1 Annualize new department lease agreement	\$332,745	\$12,732	\$287,006	\$33,007	\$0	0.0
Annualize Long Bill amendment	(10,000,000)	(10,000,000)	0	0	0	0.0
Prior year salary survey	(342,856)	0	(342,856)	0	0	0.0
TOTAL	(\$10,010,111)	(\$9,987,268)	(\$55,850)	\$33,007	\$0	0.0

ANNUALIZE PRIOR YEAR LEGISLATION: The recommendation includes a net decrease of \$177,639, including a decrease of \$403,910 General Fund, to reflect the FY 2024-25 impact of prior year legislation, summarized in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB23-1174 Homeowners insurance	\$658,751	\$0	\$658,751	\$0	\$0	1.2
HB23-1252 Thermal energy	344,930	0	344,930	0	0	2.0
HB23-1067 Family intervener program	91,774	0	91,774	0	0	0.0
SB23-189 Access to reproductive healthcare	61,605	0	61,605	0	0	(0.1)
SB23-167 Regulate certified midwives	54,135	0	54,135	0	0	0.2
SB23-179 Dental plans medical loss	31,872	0	31,872	0	0	0.3
HB23-1227 Pharmacy benefit managers	17,317	0	17,317	0	0	0.5
SB23-195 Cost share contributions	3,665	0	3,665	0	0	0.1
HB23-1116 Carrier and provider contracts	2,443	0	2,443	0	0	0.2
SB23-172 Protecting opportunities	2,023	(7,072)	0	9,095	0	0.7
HB23-1002 Epinephrine auto-injectors	1,799	0	1,799	0	0	0.1
HB24-1198 DORA supplemental	(715,891)	(27,571)	(669,907)	(12,820)	(5,593)	0.0
HB23-1105 HOA and metro district rights	(208,408)	(208,408)	0	0	0	(2.0)
SB23-291 Utility regulation	(175,456)	0	(175,456)	0	0	0.2
HB23-1296 Disability task force	(160,859)	(160,859)	0	0	0	(0.7)
SB23-288 Coverage for doula service	(100,000)	0	(100,000)	0	0	0.0
HB23-1281 Advancing clean hydrogen	(52,346)	0	(52,346)	0	0	(0.5)
HB23-1201 Rx contract requirements	(10,000)	0	(10,000)	0	0	0.0
HB22-1115 Rx drug monitoring program	(9,885)	0	(9,885)	0	0	0.0
SB22-077 Interstate professional counselor	(9,000)	0	(9,000)	0	0	0.0
HB23-1136 Prosthetic devices for recreation	(6,108)	0	(6,108)	0	0	(0.1)
TOTAL	(\$177,639)	(\$403,910)	\$235,589	(\$3,725)	(\$5,593)	2.1

INDIRECT COST ASSESSMENT: The recommendation includes a \$52,000 net decrease to indirect cost assessments across the Department, comprised of a \$50,177 decrease in cash funds and a \$1,823 decrease in federal funds.

MAJOR DIFFERENCES FROM THE REQUEST

The differences between staff's recommended appropriation for FY 2024-25 and the Department's requested appropriations for FY 2024-25 is a result of:

1. JBC standard policy for new FTE and updated salaries ranges reflecting the Revised Partnership Agreement;
2. Common policy decisions made by the Committee in January 2024; and
3. Annualization of a one-time appropriation of \$10.0 million to the Reinsurance Program Cash Fund, resulting in a decrease of \$10.0 million General Fund below the request.

DECISION ITEMS AFFECTING MULTIPLE DIVISIONS

The Department did not submit any decision items that affect multiple Divisions.

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

The Executive Director's Office provides administrative and technical support for the Department's divisions and programs, including functions associated with accounting, purchasing, budgeting, communications, legislative services, and human resources. The Office also includes the Colorado Office of Policy, Research, and Regulatory Reform, which is responsible for sunrise and sunset reviews.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$49,075,683	\$1,278,199	\$42,006,047	\$5,291,618	\$499,819	35.4
HB 24-1198 (Supplemental)	715,891	27,571	669,907	12,820	5,593	0.0
Other Legislation	919,670	32,779	870,240	16,651	0	0.3
TOTAL	\$50,711,244	\$1,338,549	\$43,546,194	\$5,321,089	\$505,412	35.7
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$50,711,244	\$1,338,549	\$43,546,194	\$5,321,089	\$505,412	35.7
Centrally appropriated line items	9,724,030	187,081	8,840,182	541,676	155,091	0.0
Non-prioritized decision items	676,279	19,418	604,638	52,223	0	0.0
Annualize prior year budget actions	(2,083,559)	(70,046)	(2,008,547)	33,007	(37,973)	0.0
Annualize prior year legislation	(397,505)	(60,350)	(327,837)	(3,725)	(5,593)	0.0
TOTAL	\$58,630,489	\$1,414,652	\$50,654,630	\$5,944,270	\$616,937	35.7
INCREASE/(DECREASE)	\$7,919,245	\$76,103	\$7,108,436	\$623,181	\$111,525	0.0
Percentage Change	15.6%	5.7%	16.3%	11.7%	22.1%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$58,523,743	\$1,467,982	\$50,476,168	\$5,960,813	\$618,780	35.7
Request Above/(Below) Recommendation	(\$106,746)	\$53,330	(\$178,462)	\$16,543	\$1,843	0.0

LINE ITEM DETAIL — EXECUTIVE DIRECTOR'S OFFICE

PERSONAL SERVICES

This line item supports staff and services for needs that are common to all divisions within the Department. It also includes funding for the Colorado Office of Policy, Research, and Regulatory Reform, which oversees sunset reviews. This line item is supported by multiple agencies affected by sunset reviews and their associated cash funds, including the Department of State Cash Fund, Private Occupational Schools Cash Fund, the Commission for the Deaf Cash Fund, and others. This item is supported by cash funds outside of DORA (reflected as reappropriated funds in this line item) because programs outside of DORA are required to pay the costs of their sunset reviews.

STATUTORY AUTHORITY: Sections 24-1-105, 24-1-107, 24-1-122, 24-1-136, 24-4-103, 24-6-303.5, 24-34-101 and 24-34-104, C.R.S.

REQUEST: The Department requests an appropriation of \$3,378,434 total funds, including \$5,500 General Fund, and 35.7 FTE, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$3,196,270	\$5,500	\$34,500	\$3,156,270	\$0	35.4
Other Legislation	\$14,248	\$0	\$0	\$14,248	\$0	0.3
TOTAL	\$3,210,518	\$5,500	\$34,500	\$3,170,518	\$0	35.7
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$3,210,518	\$5,500	\$34,500	\$3,170,518	\$0	35.7
Annualize prior year budget actions	158,821	0	0	158,821	0	0.0
Annualize prior year legislation	9,095	0	0	9,095	0	0.0
TOTAL	\$3,378,434	\$5,500	\$34,500	\$3,338,434	\$0	35.7
INCREASE/(DECREASE)	\$167,916	\$0	\$0	\$167,916	\$0	0.0
Percentage Change	5.2%	0.0%	0.0%	5.3%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$3,378,434	\$5,500	\$34,500	\$3,338,434	\$0	35.7
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

HEALTH, LIFE, AND DENTAL

This line item funds the Department's share of group health, life, and dental insurance premiums for state employees. Health, life, and dental is appropriated to the Executive Director's Office and distributed as needed throughout the Department. This line item is primarily supported by various sources of cash funds.

STATUTORY AUTHORITY: Pursuant to Sections 24-50-609, 24-50-611, and 24-50-104 (1)(a)(II), C.R.S., and defined in Section 24-50-603 (9), C.R.S.

REQUEST: The Department requests an appropriation of \$7,859,250 total funds, including \$303,537 General Fund, for FY 2024-25.

RECOMMENDATION: Staff recommends an appropriation of \$7,859,251 total funds, including \$303,537 General Fund, for FY 2024-25, in accordance with the Committee's decision on common policies.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, HEALTH, LIFE, AND DENTAL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$6,900,303	\$282,177	\$6,138,171	\$371,861	\$108,094	0.0
TOTAL	\$6,900,303	\$282,177	\$6,138,171	\$371,861	\$108,094	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$6,900,303	\$282,177	\$6,138,171	\$371,861	\$108,094	0.0
Centrally appropriated line items	958,948	21,360	779,220	117,936	40,432	0.0
TOTAL	\$7,859,251	\$303,537	\$6,917,391	\$489,797	\$148,526	0.0
INCREASE/(DECREASE)	\$958,948	\$21,360	\$779,220	\$117,936	\$40,432	0.0
Percentage Change	13.9%	7.6%	12.7%	31.7%	37.4%	0.0%

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, HEALTH, LIFE, AND DENTAL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2024-25 EXECUTIVE REQUEST	\$7,859,250	\$303,537	\$6,917,391	\$489,796	\$148,526	0.0
Request Above/(Below) Recommendation	(\$1)	\$0	\$0	(\$1)	\$0	0.0

SHORT-TERM DISABILITY

This line item funds the Department's share of the short-term disability insurance program for state employees, administered by the Department of Personnel. Appropriations are based on payroll that provides partial payment of an employee's salary if that individual becomes disabled and cannot perform his or her work duties. This line item is primarily supported by various sources of cash funds.

STATUTORY AUTHORITY: Sections 24-50-611 and 24-50-603 (13), C.R.S.

REQUEST: The Department requests an appropriation of \$79,583 total funds, including \$2,662 General Fund and \$69,854 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request**, in accordance with the Committee's decision on common policies.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, SHORT-TERM DISABILITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$70,461	\$2,279	\$62,976	\$4,160	\$1,046	0.0
TOTAL	\$70,461	\$2,279	\$62,976	\$4,160	\$1,046	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$70,461	\$2,279	\$62,976	\$4,160	\$1,046	0.0
Centrally appropriated line items	9,122	383	6,878	1,421	440	0.0
TOTAL	\$79,583	\$2,662	\$69,854	\$5,581	\$1,486	0.0
INCREASE/(DECREASE)	\$9,122	\$383	\$6,878	\$1,421	\$440	0.0
Percentage Change	12.9%	16.8%	10.9%	34.2%	42.1%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$79,583	\$2,662	\$69,854	\$5,581	\$1,486	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

TEMPORARY EMPLOYEES RELATED TO AUTHORIZED LEAVE

This line item provides funding to temporary employees necessary related to paid family medical leave. 2023-24 amount of \$36,163 is requested.

STATUTORY AUTHORITY: Not applicable.

REQUEST: The Department requests a continuation-level appropriation of \$36,163 total funds, including \$1,217 General Fund, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

PAID FAMILY AND MEDICAL LEAVE INSURANCE

Colorado Proposition 118, Paid Family Medical Leave Initiative, was approved by voters in November 2020 and created a paid family and medical leave insurance program for all Colorado employees administered by the Colorado Department of Labor and Employment. This requires employers and employees in Colorado to pay a payroll premium (.90 percent with a minimum of half paid by the employer) to finance paid family and medical leave insurance benefits beginning January 1, 2023. It will finance up to 12 weeks of paid family and medical leave to eligible employees beginning January 1, 2024.

STATUTORY AUTHORITY: Section 8-13.3-516, C.R.S.

REQUEST: The Department requests an appropriation of \$238,748 total funds, including \$7,985 General Fund and \$209,561 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request**, in accordance with the Committee's decision on common policies.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, PAID FAMILY AND MEDICAL LEAVE INSURANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$0	\$0	\$0	\$0	\$0	0.0
TOTAL	\$0	\$0	\$0	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$0	\$0	\$0	\$0	\$0	0.0
Centrally appropriated line items	238,748	7,985	209,561	16,744	4,458	0.0
TOTAL	\$238,748	\$7,985	\$209,561	\$16,744	\$4,458	0.0
INCREASE/(DECREASE)	\$238,748	\$7,985	\$209,561	\$16,744	\$4,458	0.0
Percentage Change	n/a	n/a	n/a	n/a	n/a	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$238,748	\$7,985	\$209,561	\$16,744	\$4,458	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**UNFUNDED LIABILITY AMORTIZATION EQUALIZATION DISBURSEMENT PAYMENTS
[NEW LINE ITEM]**

This line item provides funding for amortization and supplemental amortization payments to increase the funded status of the Public Employees' Retirement Association (PERA), and combines two existing line items: *S.B. 04-257 Amortization Equalization Disbursement* and *S.B. 06-235 Supplemental Amortization Equalization Disbursement*.

STATUTORY AUTHORITY: Section 24-51-411, C.R.S.

REQUEST: The Department requests an appropriation of \$5,305,504 total funds, including \$177,466 General Fund and \$4,656,900, cash funds for FY 2024-25. (This amount represents the Department's total request, although it was even split between the prior two line items.)

RECOMMENDATION: Staff recommends approval of the Department’s request, in accordance with the Committee’s decision on common policies.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, UNFUNDED LIABILITY AMORTIZATION EQUALIZATION DISBURSEMENT PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$4,757,224	\$153,804	\$4,251,378	\$281,466	\$70,576	0.0
TOTAL	\$4,757,224	\$153,804	\$4,251,378	\$281,466	\$70,576	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$4,757,224	\$153,804	\$4,251,378	\$281,466	\$70,576	0.0
Centrally appropriated line items	\$548,280	\$23,662	\$405,522	\$90,616	\$28,480	0.0
TOTAL	\$5,305,504	\$177,466	\$4,656,900	\$372,082	\$99,056	0.0
INCREASE/(DECREASE)	\$5,305,504	\$177,466	\$4,656,900	\$372,082	\$99,056	0.0
Percentage Change	11.5%	15.4%	9.5%	32.2%	40.4%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$5,305,504	\$177,466	\$4,656,900	\$372,082	\$99,056	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

S.B. 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT

This line item provides funding for an increase to the effective PERA contribution rates beginning January 1, 2006 to bring the Department into compliance with statutory provisions. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-51-411, C.R.S.

REQUEST: The Department’s request is reflected in the new line item above, *Unfunded Liability Amortization Equalization Disbursement Payments*.

RECOMMENDATION: Staff recommendation is reflected in the new line item above, *Unfunded Liability Amortization Equalization Disbursement Payments*.

S.B. 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT

This line item provides funding for an increase to the effective PERA contribution rates beginning January 1, 2008 to bring the Department into compliance with statutory provisions. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-51-411, C.R.S.

REQUEST: The Department’s request is reflected in the new line item above, *Unfunded Liability Amortization Equalization Disbursement Payments*.

RECOMMENDATION: Staff recommendation is reflected in the new line item above, *Unfunded Liability Amortization Equalization Disbursement Payments*.

PERA DIRECT DISTRIBUTION

This line item is included as a common policy allocation payment for the state portion of the PERA Direct Distribution created in Section 24-51-414, C.R.S., enacted in S.B. 18-200. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-51-414 C.R.S.

REQUEST: The Department requests an appropriation of \$1,089,945 total funds, including \$56,808 General Fund and \$956,698 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommends an appropriation of \$1,081,716 total funds, including \$56,379 General Fund and \$949,475 cash funds, for FY 2024-25,** in accordance with the Committee's decision on common policies.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, PERA DIRECT DISTRIBUTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$162,158	\$5,242	\$147,322	\$9,594	\$0	0.0
TOTAL	\$162,158	\$5,242	\$147,322	\$9,594	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$162,158	\$5,242	\$147,322	\$9,594	\$0	0.0
Centrally appropriated line items	919,558	51,137	802,153	66,268	0	0.0
TOTAL	\$1,081,716	\$56,379	\$949,475	\$75,862	\$0	0.0
INCREASE/(DECREASE)	\$919,558	\$51,137	\$802,153	\$66,268	\$0	0.0
Percentage Change	567.1%	975.5%	544.5%	690.7%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$1,089,945	\$56,808	\$956,698	\$76,439	\$0	0.0
Request Above/(Below) Recommendation	\$8,229	\$429	\$7,223	\$577	\$0	0.0

SALARY SURVEY

This line item provides funding for market adjustments to occupational groups' salaries in the Department, based on the Department of Personnel's total compensation report. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-50-104, C.R.S.

REQUEST: The Department requests an appropriation of \$1,973,626 total funds, including \$67,188 General Fund and \$1,732,467 cash funds, for FY 2024-25. The requested amount has been adjusted to remove the requested funding for the newly created *Step Pay* line item and thus represents the 3.0 percent across-the-board component of the FY 2024-25 request.

RECOMMENDATION: **Staff recommends approval of the Department's request,** in accordance with the Committee's decision on common policies.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, SALARY SURVEY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$2,575,125	\$82,778	\$2,295,553	\$158,821	\$37,973	0.0
TOTAL	\$2,575,125	\$82,778	\$2,295,553	\$158,821	\$37,973	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$2,575,125	\$82,778	\$2,295,553	\$158,821	\$37,973	0.0
Centrally appropriated line items	1,973,626	67,188	1,732,467	137,846	36,125	0.0
Annualize prior year budget actions	(2,575,125)	(82,778)	(2,295,553)	(158,821)	(37,973)	0.0
TOTAL	\$1,973,626	\$67,188	\$1,732,467	\$137,846	\$36,125	0.0
INCREASE/(DECREASE)	(\$601,499)	(\$15,590)	(\$563,086)	(\$20,975)	(\$1,848)	0.0
Percentage Change	(23.4%)	(18.8%)	(24.5%)	(13.2%)	(4.9%)	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$1,973,626	\$67,188	\$1,732,467	\$137,846	\$36,125	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

STEP PAY [NEW LINE ITEM]

This line item provides detail on the amount of funding appropriated to each department as a result of the step pay plan. The step pay plan takes effect in FY 2024-25 and is a result of negotiations between the State of Colorado and Colorado Workers for Innovative and New Solutions (COWINS).

STATUTORY AUTHORITY: Section 24-50-1101, C.R.S., et seq.

REQUEST: The Department requests an appropriation of \$1,474,872 total funds, including \$18,725 General Fund and \$1,291,443 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request for FY 2024-25,** in accordance with the Committee's decision on common policies.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, STEP PAY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$0	\$0	\$0	\$0	\$0	0.0
TOTAL	\$0	\$0	\$0	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$0	\$0	\$0	\$0	\$0	0.0
Centrally appropriated line items	\$1,474,872	\$18,725	\$1,291,443	\$118,259	\$46,445	0.0
TOTAL	\$1,474,872	\$18,725	\$1,291,443	\$118,259	\$46,445	0.0
INCREASE/(DECREASE)	\$1,474,872	\$18,725	\$1,291,443	\$118,259	\$46,445	0.0
Percentage Change	n/a	n/a	n/a	n/a	n/a	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$1,474,872	\$18,725	\$1,291,443	\$118,259	\$46,445	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

WORKERS' COMPENSATION

This line item provides funds for workers' compensation insurance for the entire state carried by the Department of Personnel. Appropriations to departments covered by the insurance are determined through actuarial calculations and three years of claims history. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-30-1510.7, C.R.S.

REQUEST: The Department requests an appropriation of \$269,918 total funds, including \$7,825 General Fund and \$235,909 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommends an appropriation of \$261,785 total funds, including \$8,597 General Fund and \$240,643 cash funds, for FY 2024-25,** consistent with the Committee's decision on this common policy line item.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, WORKERS' COMPENSATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$198,234	\$6,511	\$182,224	\$6,902	\$2,597	0.0
TOTAL	\$198,234	\$6,511	\$182,224	\$6,902	\$2,597	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$198,234	\$6,511	\$182,224	\$6,902	\$2,597	0.0
Centrally appropriated line items	63,551	2,086	58,419	2,213	833	0.0
TOTAL	\$261,785	\$8,597	\$240,643	\$9,115	\$3,430	0.0
INCREASE/(DECREASE)	\$63,551	\$2,086	\$58,419	\$2,213	\$833	0.0
Percentage Change	32.1%	32.0%	32.1%	32.1%	32.1%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$269,918	\$7,825	\$235,909	\$20,515	\$5,669	0.0
Request Above/(Below) Recommendation	\$8,133	(\$772)	(\$4,734)	\$11,400	\$2,239	0.0

OPERATING EXPENSES

This line item provides funding for the Office's operating expenses and capital outlay, pursuant to Section 24-75-112, C.R.S. This line item is supported by General Fund and various sources of cash and reappropriated funds.

STATUTORY AUTHORITY: Sections 24-1-105, 24-1-107, 24-1-122, 24-1-136, 24-4-103, 24-6-303.5, 24-34-101 and 24-34-104, C.R.S.

REQUEST: The Department requests a continuation appropriation of \$260,082 total funds, including \$3,689 General Fund and \$95,427 cash funds, for FY 2024-25, with no change from the FY 2023-24 appropriation.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

LEGAL SERVICES

This line item provides funding for legal services rendered by the Department of Law. This line item is supported by the Fixed Utilities Fund, the Division of Professions and Occupations Cash Fund, and various other cash funds.

STATUTORY AUTHORITY: Sections 24-31-101 (1)(a) and 24-75-112 (1)(i), C.R.S.

REQUEST: The Department requests an appropriation of \$17,837,761 total funds including \$227,542 General Fund and \$17,393,373 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.** Staff requests permission to adjust this appropriation as necessary to align with the Committee's common policy on legal services.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, LEGAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$14,796,015	\$227,542	\$14,351,627	\$124,080	\$92,766	0.0
Other Legislation	\$903,019	\$32,779	\$870,240	\$0	\$0	0.0
TOTAL	\$15,699,034	\$260,321	\$15,221,867	\$124,080	\$92,766	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$15,699,034	\$260,321	\$15,221,867	\$124,080	\$92,766	0.0
Centrally appropriated line items	1,829,436	0	1,829,436	0	0	0.0
Annualize prior year legislation	309,291	(32,779)	342,070	0	0	0.0
TOTAL	\$17,837,761	\$227,542	\$17,393,373	\$124,080	\$92,766	0.0
INCREASE/(DECREASE)	\$2,138,727	(\$32,779)	\$2,171,506	\$0	\$0	0.0
Percentage Change	13.6%	(12.6%)	14.3%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$17,837,761	\$227,542	\$17,393,373	\$124,080	\$92,766	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

ADMINISTRATIVE LAW JUDGE SERVICES

This line item is used to purchase administrative law services from the Department of Personnel. This line item is supported by the Division of Professions and Occupations Cash Fund, the Division of Real Estate Cash Fund, and other various sources of cash funds.

STATUTORY AUTHORITY: Section 24-30-1003 (1), C.R.S.

REQUEST: The Department requests an appropriation of \$397,210 total funds, including \$77,990 General Fund and \$319,220 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommends an appropriation of \$372,715 total funds, including \$16,840 General Fund and \$355,875 cash funds, for FY 2024-25,** consistent with the Committee's decision on this common policy line item.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, ADMINISTRATIVE LAW JUDGE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$336,998	\$15,226	\$321,772	\$0	\$0	0.0
TOTAL	\$336,998	\$15,226	\$321,772	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$336,998	\$15,226	\$321,772	\$0	\$0	0.0
Centrally appropriated line items	35,717	1,614	34,103	0	0	0.0
TOTAL	\$372,715	\$16,840	\$355,875	\$0	\$0	0.0
INCREASE/(DECREASE)	\$35,717	\$1,614	\$34,103	\$0	\$0	0.0
Percentage Change	10.6%	10.6%	10.6%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$397,210	\$77,990	\$319,220	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$24,495	\$61,150	(\$36,655)	\$0	\$0	0.0

PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS

This line item provides funding for the Department's share of liability and property insurance carried by the Department of Personnel. The program is used to pay for liability claims and expenses brought against the state. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Sections 24-30-1510 and 24-30-1510.5, C.R.S.

REQUEST: The Department requests an appropriation of \$240,079 total funds, including \$6,959 General Fund and \$209,830 cash funds, for FY 2024-25.

RECOMMENDATION: Staff recommends an appropriation of \$345,613 total funds, including \$11,633 General Fund and \$316,932 cash funds, for FY 2024-25, consistent with the Committee's decision on this common policy line item.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
HB 24-1198 (Supplemental)	\$373,286	\$12,565	\$342,308	\$12,820	\$5,593	0.0
SB 23-214 (Long Bill)	\$322,015	\$10,839	\$295,292	\$11,059	\$4,825	0.0
TOTAL	\$695,301	\$23,404	\$637,600	\$23,879	\$10,418	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$695,301	\$23,404	\$637,600	\$23,879	\$10,418	0.0
Centrally appropriated line items	23,598	794	21,640	810	354	0.0
Annualize prior year legislation	(373,286)	(12,565)	(342,308)	(12,820)	(5,593)	0.0
TOTAL	\$345,613	\$11,633	\$316,932	\$11,869	\$5,179	0.0
INCREASE/(DECREASE)	(\$349,688)	(\$11,771)	(\$320,668)	(\$12,010)	(\$5,239)	0.0
Percentage Change	(50.3%)	(50.3%)	(50.3%)	(50.3%)	(50.3%)	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$240,079	\$6,959	\$209,830	\$18,247	\$5,043	0.0
Request Above/(Below) Recommendation	(\$105,534)	(\$4,674)	(\$107,102)	\$6,378	(\$136)	0.0

VEHICLE LEASE PAYMENTS

This line item provides funding for annual payment to the Department of Personnel for the cost of administration, loan repayment, and lease-purchase payments for new and replacement motor vehicles. The majority of the Department's leased vehicles are used for remote electrical and plumbing inspections. This line item is primarily supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-30-1104(2), C.R.S.

REQUEST: The Department requests an appropriation of \$499,075 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request for FY 2024-25,** consistent with the Committee's decision on this common policy line item.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, VEHICLE LEASE PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$412,563	\$0	\$412,563	\$0	\$0	0.0
TOTAL	\$412,563	\$0	\$412,563	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$412,563	\$0	\$412,563	\$0	\$0	0.0
Centrally appropriated line items	86,512	0	86,512	0	0	0.0
TOTAL	\$499,075	\$0	\$499,075	\$0	\$0	0.0
INCREASE/(DECREASE)	\$86,512	\$0	\$86,512	\$0	\$0	0.0
Percentage Change	21.0%	0.0%	21.0%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$499,075	\$0	\$499,075	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

IT ACCESSIBILITY

This line item provides funding to implement provisions related to H.B. 21-1110, "Colorado Laws For Persons With Disabilities".

STATUTORY AUTHORITY: Section 24-85-101 et seq., C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$1,282,709 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

INFORMATION TECHNOLOGY ASSET MAINTENANCE

This line item provides funding for the Department to implement an asset management plan to achieve and maintain a standard information technology environment. Money is used to pay for hardware and software maintenance contracts as well as the replacement of equipment (e.g., servers,

switches, printers, or personal computers). This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-37.5-103 and 105, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$1,678,403 total funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

HARDWARE/SOFTWARE MAINTENANCE

This line item pays for the licensing and maintenance agreements for hardware and software, as well as the costs of required equipment upgrades. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-37.5-103 and 105, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$590,939 total funds, including \$800 General Fund, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

LEASED SPACE

This line item is used by the Department to pay for leased space. The agency occupies consolidated space at 1560 Broadway in Denver with a present total of 165,764 square feet. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Sections 24-1-105, 24-1-107, 24-1-122, 24-1-136, and 24-34-101, C.R.S.

REQUEST: The Department requests an appropriation of \$5,098,259 total funds, including \$208,557 General Fund and \$4,226,401 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, LEASED SPACE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$4,765,514	\$195,825	\$3,939,395	\$451,784	\$178,510	0.0
TOTAL	\$4,765,514	\$195,825	\$3,939,395	\$451,784	\$178,510	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$4,765,514	\$195,825	\$3,939,395	\$451,784	\$178,510	0.0
Annualize prior year budget actions	332,745	12,732	287,006	33,007	0	0.0
TOTAL	\$5,098,259	\$208,557	\$4,226,401	\$484,791	\$178,510	0.0
INCREASE/(DECREASE)	\$332,745	\$12,732	\$287,006	\$33,007	\$0	0.0
Percentage Change	7.0%	6.5%	7.3%	7.3%	0.0%	0.0%

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, LEASED SPACE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2024-25 EXECUTIVE REQUEST	\$5,098,259	\$208,557	\$4,226,401	\$484,791	\$178,510	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

PAYMENTS TO OIT

This line item includes funding appropriated to the Department that is then transferred to the Governor's Office of Information Technology to support the information technology systems that support the Office's programs. This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-37.5-103 and 105, C.R.S.

REQUEST: The Department requests an appropriation of \$8,015,723 total funds, including \$273,885 General Fund and \$7,651,388 cash funds, for FY 2024-25.

RECOMMENDATION: **Staff recommendation is pending the Committee common policy decision for this line item.** Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, PAYMENTS TO OIT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$6,250,988	\$273,885	\$5,886,653	\$90,450	\$0	0.0
HB 24-1198 (Supplemental)	\$342,605	\$15,006	\$327,599	\$0	\$0	0.0
TOTAL	\$6,593,593	\$288,891	\$6,214,252	\$90,450	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$6,593,593	\$288,891	\$6,214,252	\$90,450	\$0	0.0
Centrally appropriated line items	1,764,735	0	1,764,735	0	0	0.0
Annualize prior year legislation	(342,605)	(15,006)	(327,599)	0	0	0.0
TOTAL	\$8,015,723	\$273,885	\$7,651,388	\$90,450	\$0	0.0
INCREASE/(DECREASE)	\$1,422,130	(\$15,006)	\$1,437,136	\$0	\$0	0.0
Percentage Change	21.6%	(5.2%)	23.1%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$8,015,723	\$273,885	\$7,651,388	\$90,450	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

CORE OPERATIONS

This line item funds the Department's share of costs associated with the operations and maintenance of the Colorado Operations Resource Engine (CORE). This line item is supported by various sources of cash funds.

STATUTORY AUTHORITY: Section 24-30-209, C.R.S.

REQUEST: The Department requests an appropriation of \$119,837 total funds, including \$3,077 General Fund and \$106,472 cash funds, for FY 2024-25.

RECOMMENDATION: Staff recommends an appropriation of \$78,249 total funds, including \$3,032 General Fund, for FY 2024-25, consistent with the Committee’s decision on this common policy line item.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES, CORE OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$280,922	\$10,885	\$252,139	\$14,466	\$3,432	0.0
TOTAL	\$280,922	\$10,885	\$252,139	\$14,466	\$3,432	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$280,922	\$10,885	\$252,139	\$14,466	\$3,432	0.0
Centrally appropriated line items	(202,673)	(7,853)	(181,907)	(10,437)	(2,476)	0.0
TOTAL	\$78,249	\$3,032	\$70,232	\$4,029	\$956	0.0
INCREASE/(DECREASE)	(\$202,673)	(\$7,853)	(\$181,907)	(\$10,437)	(\$2,476)	0.0
Percentage Change	(72.1%)	(72.1%)	(72.1%)	(72.1%)	(72.1%)	0.0%
FY 2024-25 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$41,588	\$45	\$36,240	\$4,032	\$1,271	0.0

CONSUMER OUTREACH/EDUCATION PROGRAM

This line item was added to the FY 2009-10 Long Bill as a result of H.B. 08-1216, which established the Consumer Outreach and Education Program. The Program works to inform consumers of their rights regarding regulated professions and occupations, decrease regulatory violations by licensees, and increase public awareness of consumer protection information available from the Department. The Program is funded by a surcharge on fines issued by various divisions. This line item is supported by the Consumer Outreach and Education Cash Fund and the Moving Outreach Cash Fund.

STATUTORY AUTHORITY: Section 24-34-108, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$205,000 cash funds for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department’s request.

STATEWIDE ADMINISTRATIVE SERVICES [NEW LINE ITEM]

This line item provides funding for payments for statewide administrative services provide by the Department of Personnel’s Executive Director’s Office.

STATUTORY AUTHORITY: Article 50.3 of Title 24, C.R.S.

REQUEST: The Department requests an appropriation of \$75,134 total funds, including \$2,179 General Fund, \$67,095 cash funds, and \$5,860 reappropriated funds, for creation of a new line item to accommodate a new common policy to provide annual funding for administrative services provide by the Department of Personnel.

RECOMMENDATION: The **staff recommendation is pending** the Committee common policy decision for this line item. Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established.

STATE AGENCY SERVICES [NEW LINE ITEM]

This line item provides funding for payments for statewide human resource services provide by the Department of Personnel's Division of Human Resources.

STATUTORY AUTHORITY: Part 13 of Article 30 of Title 24, C.R.S.

REQUEST: The Department requests an appropriation of \$97,173 total funds, including \$2,819 General Fund, \$86,775 cash funds, and \$7,579 reappropriated funds, for creation of a new line item to accommodate a new common policy to provide annual funding for administrative services provide by the Department of Personnel.

RECOMMENDATION: The **staff recommendation is pending** the Committee common policy decision for this line item. Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established.

STATEWIDE TRAINING SERVICES [NEW LINE ITEM]

This line item provides funding for payments to the Center for Organizational Effectiveness, which provides professional development and training services for state employees.

STATUTORY AUTHORITY: Section 24-50-122, C.R.S.

REQUEST: The Department requests an appropriation of \$19,587 total funds, including \$372 General Fund, \$18,213 cash funds, and \$1,002 reappropriated funds, for creation of a new line item to accommodate a new common policy to provide annual funding for administrative services provide by the Department of Personnel.

RECOMMENDATION: The **staff recommendation is pending** the Committee common policy decision for this line item. Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established.

LABOR RELATIONS SERVICES [NEW LINE ITEM]

This line item provides funding for payments for statewide labor relation services provide by the Department of Personnel's Division of Human Resources, Labor Relations Unit.

STATUTORY AUTHORITY: Part 11, Article 50, of Title 24, C.R.S.

REQUEST: The Department requests an appropriation of \$141,594 total funds, including \$4,107 General Fund, \$126,443 cash funds, and \$11,044 reappropriated funds, for creation of a new line item to accommodate a new common policy to provide annual funding for administrative services provide by the Department of Personnel.

RECOMMENDATION: The **staff recommendation is pending** the Committee common policy decision for this line item. Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established.

FINANCIAL OPERATIONS AND REPORTING SERVICES [NEW LINE ITEM]

This line item provides funding for payments for statewide financial operations and reporting services provide by the Department of Personnel's Division of Accounts and Control.

STATUTORY AUTHORITY: Sections 24-30-201 through 24-30-207, C.R.S.

REQUEST: The Department requests an appropriation of \$211,689 total funds, including \$6,139 General Fund, \$189,038 cash funds, and \$16,512 reappropriated funds, for creation of a new line item to accommodate a new common policy to provide annual funding for administrative services provide by the Department of Personnel.

RECOMMENDATION: The **staff recommendation is pending** the Committee common policy decision for this line item. Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established.

PROCUREMENT AND CONTRACTS SERVICES [NEW LINE ITEM]

This line item provides funding for payments for statewide procurement and contracts services provide by the Department of Personnel's Division of Accounts and Control.

STATUTORY AUTHORITY: Sections 24-102-201 through 207 and 24-102-301, C.R.S.

REQUEST: The Department requests an appropriation of \$131,102 total funds, including \$3,802 General Fund, \$117,074 cash funds, and \$10,226 reappropriated funds, for creation of a new line item to accommodate a new common policy to provide annual funding for administrative services provide by the Department of Personnel.

RECOMMENDATION: The **staff recommendation is pending** the Committee common policy decision for this line item. Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established.

(2) DIVISION OF BANKING

The Division of Banking regulates state-chartered commercial banks, trust companies, money transmitters, and national and interstate banks that maintain public deposit accounts in Colorado. The Division is slated for repeal on September 1, 2024, pursuant to Section 11-102-101, C.R.S.

DIVISION OF BANKING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$5,199,133	\$0	\$5,199,133	\$0	\$0	40.0
TOTAL	\$5,199,133	\$0	\$5,199,133	\$0	\$0	40.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$5,199,133	\$0	\$5,199,133	\$0	\$0	40.0
R1 Increase banking staff	575,780	0	575,780	0	0	4.6
Annualize prior year budget actions	167,705	0	167,705	0	0	0.0
Indirect cost assessment	(3,299)	0	(3,299)	0	0	0.0
TOTAL	\$5,939,319		\$5,939,319	\$0	\$0	44.6
INCREASE/(DECREASE)	\$740,186	\$0	\$740,186	\$0	\$0	4.6
Percentage Change	14.2%	0.0%	14.2%	0.0%	0.0%	11.5%
FY 2024-25 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$90,176		\$90,176	\$0	\$0	0.0

DECISION ITEMS - DIVISION OF BANKING

→ R1 INCREASE BANKING STAFF IN RESPONSE TO INDUSTRY GROWTH

REQUEST: The Department requests an increase of \$665,956 from the Division of Banking Cash Fund and 4.6 FTE in FY 2024-25, which increases to \$676,910 and 5.0 FTE in FY 2025-26 and ongoing. The additional staff would include five additional financial/credit examiners (FCEs) and associated operating expenses in order to support the increased workload as a result of the growth of the Colorado regulated financial institution industry.

RECOMMENDATION: Staff recommends an appropriation of \$575,780 from the Division of Banking Cash Fund and 4.6 FTE in FY 2024-25, and \$676,910 and 5.0 FTE in FY 2025-26 and ongoing. This difference is due to JBC policy pertaining to the removal of centrally appropriated POTS items for a request's first year.

ANALYSIS:

The Division of Banking is responsible for supervising and examining state-chartered commercial banks, and licensing money transmitters. The recent growth of the state's regulated financial industry has increased the amount and complexity of regulatory responsibilities for the Division, and created a need for additional staff resources.

DIVISION RESPONSIBILITIES

The Division of Banking regulates financial institutions including state-chartered commercial banks, trust companies, trust departments, and licensed money transmitters. The Division responds to consumer complaints, issues new rules and regulations, and conducts institutional examinations.

The Division is cash funded, primarily through semi-annual financial institution assessments. These assessments have historically totaled 80.0 to 90.0 percent of total cash fund revenue. Institution assessments depend on the amount of assets that an institution holds; the greater the assets, the greater the complexity of regulation and therefore the greater the assessment. In addition to an assessment rate, the Division includes an additional “discount rate” for regulated entities depending on the amount of funding that the Division needs to collect for its operations. The Division also receives revenue through specialty examination charges and application and licensing fees.

The Division does not anticipate increasing the assessment rate for commercial banks in order to pay for the requested positions. Significant additional assets have come under the Division’s oversight in recent years, which is projected to continue generating sufficient revenue to cover program operations. As shown in the table below, the amount of assessment collected per \$1,000 in assets has even decreased over the past four years. Similarly, for money transmitters, the Division anticipates an increase in the amount of licensed money transmitters in the state and correspondingly, greater fee revenue to cover the additional requested positions. The Division does not anticipate raising fees for individual licensees.

ASSESSMENT PER \$1,000 IN ASSETS DECLINING OVER TIME			
CALENDAR YEAR END	TOTAL ASSETS (THOUSANDS)	TOTAL ASSESSMENTS	ASSESSMENT PER \$1,000 IN ASSETS
2019	\$50,695,336	\$4,468,045	0.088
2020	\$62,744,834	\$5,097,579	0.081
2021	\$71,943,357	\$5,489,901	0.076
2022	\$79,795,574	\$4,814,301	0.060
Projected 2023	\$97,795,000	\$5,222,910	0.053

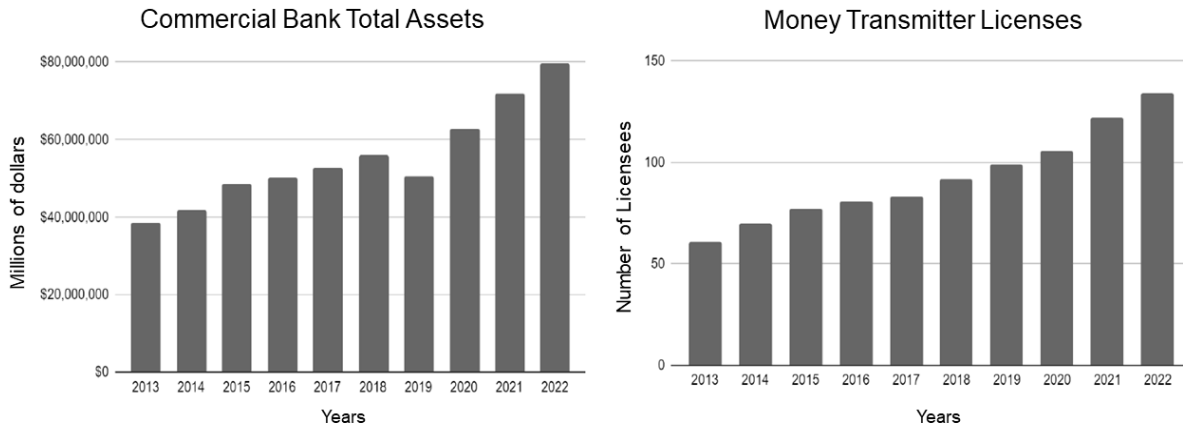
Source: Department of Regulatory Agencies

GROWTH IN THE REGULATED FINANCIAL INDUSTRY

Over the past ten years, Colorado’s financial industry, particularly state-chartered commercial banks and licensed money transmitters, has experienced significant growth. Money transmitters are entities that facilitate fund transfers and may provide services pertaining to foreign currency exchange, virtual currency, money orders, and bill payment.

Between 2013 and 2022, commercial bank assets under the Division’s supervision have grown from \$41.2 billion to \$79.8 billion. At the same time, the number of licensed money transmitters has grown from 61 to 134, with an increase in money transmission volume from \$14.4 billion to \$48.7 billion. The below graphics depict data for Colorado commercial banks that are state-chartered and for money transmitters with a license in Colorado.

Colorado state-chartered commercial bank assets and money transmitter licenses have increased over the past 10 years



Source: Department of Regulatory Agencies

This industry growth has strained existing resources, which, without additional staffing resources, the Department has indicated may compromise the Division’s ability to conduct timely, thorough examinations. The importance of bank examinations was highlighted in 2023 when a series of bank failures occurred, including Signature Bank, Silicon Valley Bank, and First Republic Bank. After reviewing Signature Bank’s failure, the Federal Deposit Insurance Corporation (FDIC) issued a report stating that understaffing and resource challenges affected the timeliness and quality of its examinations and slowed earlier identification of the bank’s weaknesses.¹ The Department indicates that Colorado state-chartered banks are in sound condition and do not exhibit risks present in the above banks that failed in March and April 2023. However, bank examinations are a key tool in ensuring the financial stability of financial institutions.

This growth is also marked by two timely changes that the Department asserts will increase the Division’s need for staff resources. First, a large bank merger in October 2023 increased a Colorado institution’s regulated assets from \$2.6 to \$20.0 billion. The merged banks were chartered and supervised in ten different states and not previously under the supervision of the Colorado Division of Banking. The Division estimates that this increase translates to an additional 3,382 hours of work annually, or approximately 1.8 FTE. This work includes pre-analysis, examination time, and report preparation.

Second, money transmitters face an increased risk of bad actors using their services due to an increase in virtual currency services and the anonymous nature of purchasers and sellers of this currency, and the industry’s inability to collect uniform consumer information for transactions above \$3,000.

ORGANIZATION STRUCTURE AND NEEDS

The Division currently has 40.0 FTE, the majority of which are financial and credit examiners. Ten examiners are currently dedicated to commercial banks and another four are dedicated to money transmitters. The request specifically includes an additional 3.0 FTE for commercial banks and 2.0 FTE for money transmitters, hired between the minimum and mid-point of the pay range.

¹ Federal Deposit Insurance Corporation (FDIC), “FDIC’s Supervision of Signature Bank”, *FDIC*, April 2023, <https://www.fdic.gov/news/press-releases/2023/pr23033a.pdf>.

The Division indicates that all staff currently are paid at the mid-point of their position’s pay range or above. Financial examiners have job opportunities both at the state or federal level. While the state’s salary is competitive for entry-level positions, it is quickly outpaced by the salary progression at the federal level. For example, while the minimum salary for a FCE I is \$58,836, only \$6,942 below the starting salary for an examiner with the U.S. Treasury, this difference grows to \$21,912 for an examiner with six years or more years of experience. As such, the Division has historically had challenges retaining staff after training them for the first few years.

AN EXAMPLE OF DIFFERENT FEDERAL AND STATE PAYSCALES FOR EXAMINERS				
YEARS OF EXPERIENCE	U.S. TREASURY	CO CLASSIFICATION	MIN. SALARY	REQUESTED SALARY
Starting	\$65,778	FCE I	\$58,836	-
Year 1	\$73,803	FCE II	\$64,860	\$76,128
Year 3	\$82,372	FCE III	\$71,508	\$88,816
Year 4	\$89,172	FCE IV	\$86,916	\$104,572
Year 6	\$108,828			

The Division proposes to hire a FCE II, III, and IV for commercial banks, and two FCE II’s for money transmitters. The need to employ higher levels of FCE for commercial bank regulation is because the Division is specifically seeking folks experienced with large banks, particularly given the recent large bank merger in Colorado and the need to regulate more complex assets. As such, the Division is requesting to hire higher level FCE’s in order to ensure the requested staff have the necessary experience and expertise to meet the needs of the Colorado’s regulated financial institution industry.

The Division has not requested additional FTE or operational cost increases since FY 2011-12. In order to accommodate the growth in workload, the Division has implemented the following efficiency strategies:

- prioritized examinations based on risk,
- increased the use of automated examination programs,
- internally restructured staff assignments and cross trained staff,
- utilized contract examiners, and
- executed agreements with federal regulatory agencies to perform alternating or joint examinations to reduce regulatory burden and increase resource utilization.

The Division indicates that there are few options to further increase efficiency. Furthermore, the Division has indicated that if they are unable to keep up with executed agreements with federal regulatory agencies, operational efficiency may decrease since each agency may need to conduct their own examinations.

LEVEL OF EVIDENCE PURSUANT TO S.B. 21-284

The Department identified this budget request as a “proven” practice, highlighting the robust nature of the financial industry’s CAMELS rating system and the potential to evaluate the program by collecting data on the relationship between examination hours and compliance with state regulatory standards. The CAMELS system is a national rating system used to evaluate banks and credit unions based on a set of six factors. Senate Bill 21-284 states that a program or practice is “proven” if the program or practice reflects a high or well-supported confidence of its effects as determined through

one or more high-quality randomized control trials, multiple evaluations with strong comparison groups, or an equivalent measure.

Staff disagrees with the Department’s designation, and has determined that the request is “theory-informed” due to a lack of peer-reviewed evidence for the proposed theory of change. While the practice of utilizing the CAMELS rating system to evaluate financial institutions is well-studied as an effective way to measure financial institution performance, there is not robust evidence on the effect of conducting examinations on financial institution performance. The Department focuses on this latter regulatory responsibility, which does not have scientific evidence to prove its effectiveness.

A theory of change is a method that explains how a given intervention, or set of interventions, is expected to lead to specific outcomes, drawing on a causal analysis based on available evidence. In this case, the theory is that if examinations are conducted, financial institutions may be more aware of their shortcomings and be able to more proactively address concerns. If corresponding action is taken, it may reduce the likelihood of the institution’s failure or non-compliance.

FTE CALCULATION

The below tables show the calculation used to inform a FY 2024-25 recommendation that is lower than the Department’s request. This reduction was due to the removal of centrally appropriated POTS items in the request’s first year, per JBC policy.

FY 2024-25									
POSITION	PRORATED FTE	SALARY	MEDICAID	PERA	STANDARD OPERATING	CAPITAL OUTLAY	TRAVEL EXPENSES	CENTRALLY APPROP. / POTS	TOTAL
FCE II	2.8	210,113	3,047	24,163	3,900	21,000	72,000	0	334,223
FCE III	0.9	81,711	1,185	9,397	1,300	7,000	24,000	0	124,592
FCE IV	0.9	96,206	1,395	11,064	1,300	7,000	0	0	116,965
Total	4.6	\$388,030	\$5,626	\$44,623	\$6,500	\$35,000	\$96,000	\$0	\$575,780

FY 2025-26									
POSITION	FULL YEAR FTE	SALARY	MEDICAID	PERA	STANDARD OPERATING	CAPITAL OUTLAY	TRAVEL EXPENSES	CENTRALLY APPROP. / POTS	TOTAL
FCE II	3.0	228,384	3,312	26,264	3,900	0	72,000	58,811	392,671
FCE III	1.0	88,816	1,288	10,214	1,300	0	24,000	19,604	145,221
FCE IV	1.0	104,572	1,516	12,026	1,300	0	0	19,604	139,018
Total	5.0	\$421,772	\$6,116	\$48,504	\$6,500	0	\$96,000	\$98,018	\$676,910

ANNUAL SALARY CALCULATION						
	FY 2024-25			FY 2025-26		
	FTE	ANNUAL SALARY	BUDGET AMOUNT	FTE	ANNUAL SALARY	BUDGET AMOUNT
FCE II	2.8	\$76,128	\$210,113	3.0	\$76,128	\$228,384
FCE III	0.9	\$88,816	\$81,711	1.0	\$88,816	\$88,816
FCE IV	0.9	\$104,572	\$96,206	1.0	\$104,572	\$104,572

LINE ITEM DETAIL - DIVISION OF BANKING

PERSONAL SERVICES

This line item includes Division staffing and contractual services associated with the regulation of state-chartered commercial banks, industrial banks, trust companies, money order companies, and money transmitters. This line item is supported by the Division of Banking Cash Fund.

STATUTORY AUTHORITY: Sections 5-1-101 et seq.; 11-102-101 thru 11-102-508, C.R.S.

REQUEST: The Department requests an appropriation of \$4,969,224 cash funds and 44.6 FTE for FY 2024-25. The request includes an increase of \$528,456 cash funds and 4.6 FTE associated with request R1.

RECOMMENDATION: **Staff recommends an appropriation of \$4,879,048 cash funds and 44.6 FTE, or permission to adjust the Department's appropriation in alignment with the Committee's decision on the Department's R1 request.** The reduced recommendation is explained in the above analysis for R1.

DIVISION OF BANKING, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$4,273,063	\$0	\$4,273,063	\$0	\$0	40.0
TOTAL	\$4,273,063	\$0	\$4,273,063	\$0	\$0	40.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$4,273,063	\$0	\$4,273,063	\$0	\$0	40.0
R1 Increase banking staff	438,280	0	438,280	0	0	4.6
Annualize prior year budget actions	167,705	0	167,705	0	0	0.0
TOTAL	\$4,879,048	\$0	\$4,879,048	\$0	\$0	44.6
INCREASE/(DECREASE)	\$605,985	\$0	\$605,985	\$0	\$0	4.6
Percentage Change	14.2%	0.0%	14.2%	0.0%	0.0%	11.5%
FY 2024-25 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$90,176	\$0	\$90,176	\$0	\$0	0.0

OPERATING EXPENSES

This line item pays for Division operations and capital needs. This includes, but is not limited to, office supplies, telephone, postage, printing, furniture, and travel expenses. This line item is supported by the Division of Banking Cash Fund.

STATUTORY AUTHORITY: Sections 5-1-101 et seq.; 11-102-101 thru 11-102-508, C.R.S.

REQUEST: The Department requests an appropriation of \$628,233 cash funds for FY 2024-25. The request includes an increase of \$137,500 cash funds associated with request R1.

RECOMMENDATION: **Staff recommends approval of the Department's request, or permission to adjust the Department's appropriation in alignment with the Committee's decision on the Department's R1 request.**

DIVISION OF BANKING, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$490,733	\$0	\$490,733	\$0	\$0	0.0
TOTAL	\$490,733	\$0	\$490,733	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$490,733	\$0	\$490,733	\$0	\$0	0.0
R1 Increase banking staff	137,500	0	137,500	0	0	0.0
TOTAL	\$628,233	\$0	\$628,233	\$0	\$0	0.0
INCREASE/(DECREASE)	\$137,500	\$0	\$137,500	\$0	\$0	0.0
Percentage Change	28.0%	0.0%	28.0%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$628,233	\$0	\$628,233	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

BOARD MEETING COSTS

This line item includes per diem, travel and miscellaneous costs for Colorado State Banking Board members attending meetings to conduct business related to rule-making, policy formulation, taking disciplinary action, and making licensing and chartering decisions. This line item is supported by the Division of Banking Cash Fund.

STATUTORY AUTHORITY: Sections 5-1-101 et seq.; 11-102-101 thru 11-102-508, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$23,500 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

INDIRECT COST ASSESSMENT

This line item funds the Division's share of assessed indirect cost recoveries. This line item is supported by the Division of Banking Cash Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$408,538 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request**, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

DIVISION OF BANKING, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$411,837	\$0	\$411,837	\$0	\$0	0.0

DIVISION OF BANKING, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
TOTAL	\$411,837	\$0	\$411,837	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$411,837	\$0	\$411,837	\$0	\$0	0.0
Indirect cost assessment	(3,299)	0	(3,299)	0	0	0.0
TOTAL	\$408,538	\$0	\$408,538	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$3,299)	\$0	(\$3,299)	\$0	\$0	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$408,538	\$0	\$408,538	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(3) CIVIL RIGHTS DIVISION

The Division of Civil Rights enforces Colorado’s anti-discrimination laws pertaining to employment, housing, and public accommodations. The Division is slated for repeal on September 1, 2027, pursuant to Section 24-34-304, C.R.S.

CIVIL RIGHTS DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$3,318,892	\$1,509,173	\$0	\$1,205,311	\$604,408	37.0
Other Legislation	523,087	523,087	\$0	0	0	3.8
TOTAL	\$3,841,979	\$2,032,260	\$0	\$1,205,311	\$604,408	40.8
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$3,841,979	\$2,032,260	\$0	\$1,205,311	\$604,408	40.8
Annualize prior year budget actions	82,778	82,778	0	0	0	0.0
Annualize prior year legislation	(135,152)	(135,152)	0	0	0	0.0
Indirect cost assessment	(956)	0	0	0	(956)	0.0
TOTAL	\$3,788,649	\$1,979,886	\$0	\$1,205,311	\$603,452	40.8
INCREASE/(DECREASE)	(\$53,330)	(\$52,374)	\$0	\$0	(\$956)	0.0
Percentage Change	(1.4%)	(2.6%)	0.0%	0.0%	(0.2%)	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$3,788,649	\$1,979,886	\$0	\$1,205,311	\$603,452	40.8
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS - CIVIL RIGHTS DIVISION

The Department did not submit any decision items for this division.

LINE ITEM DETAIL - CIVIL RIGHTS DIVISION

PERSONAL SERVICES

This line item funds Division staffing and contractual services related to Colorado’s anti-discrimination laws.

STATUTORY AUTHORITY: Sections 24-34-301 thru 805, 24-50-125.5, C.R.S.

REQUEST: The Department requests an appropriation of \$3,497,265 total funds, including \$1,813,276 General Fund, and 40.8 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department’s request.**

CIVIL RIGHTS DIVISION, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$3,093,778	\$1,409,789	\$0	\$1,205,311	\$478,678	37.0
Other Legislation	\$331,226	\$331,226	\$0	\$0	\$0	3.8
TOTAL	\$3,425,004	\$1,741,015	\$0	\$1,205,311	\$478,678	40.8
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$3,425,004	\$1,741,015	\$0	\$1,205,311	\$478,678	40.8
Annualize prior year budget actions	82,778	82,778	0	0	0	0.0
Annualize prior year legislation	(10,517)	(10,517)	0	0	0	0.0
TOTAL	\$3,497,265	\$1,813,276	\$0	\$1,205,311	\$478,678	40.8
INCREASE/(DECREASE)	\$72,261	\$72,261	\$0	\$0	\$0	0.0
Percentage Change	2.1%	4.2%	0.0%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$3,497,265	\$1,813,276	\$0	\$1,205,311	\$478,678	40.8
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item includes Division operations and capital needs. This includes, but is not limited to, office supplies, telephone, postage, printing, furniture, and travel expenses.

STATUTORY AUTHORITY: Sections 24-34-301 thru 805, 24-50-125.5, C.R.S.

REQUEST: The Department requests an appropriation of \$187,612 total funds, including \$144,436 General Fund, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

CIVIL RIGHTS DIVISION, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
Other Legislation	\$191,861	\$191,861	\$0	\$0	\$0	0.0
SB 23-214 (Long Bill)	\$120,386	\$77,210	\$0	\$0	\$43,176	0.0
TOTAL	\$312,247	\$269,071	\$0	\$0	\$43,176	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$312,247	\$269,071	\$0	\$0	\$43,176	0.0
Annualize prior year legislation	(124,635)	(124,635)	0	0	0	0.0
TOTAL	\$187,612	\$144,436	\$0	\$0	\$43,176	0.0
INCREASE/(DECREASE)	(\$124,635)	(\$124,635)	\$0	\$0	\$0	0.0
Percentage Change	(39.9%)	(46.3%)	0.0%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$187,612	\$144,436	\$0	\$0	\$43,176	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

HEARINGS PURSUANT TO COMPLAINT

This line item pays for expenses associated with Colorado Civil Rights Commission hearings and mediations to resolve complaints received. The line item also funds a portion of the expert witnesses,

court reporters, transcripts, and depositions expenses incurred in the Office of the Attorney General in the Department of Law.

STATUTORY AUTHORITY: Sections 24-34-301 thru 805, 24-50-125.5, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$18,000 total funds, including \$17,000 General Fund, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

COMMISSION MEETING COSTS

This line item includes per diem, travel, and miscellaneous costs for Colorado Civil Rights Commission members attending meetings to conduct business related to rule-making and policy formulation, to investigate and pass upon charges alleging unfair or discriminatory practices, and to hold hearings upon any complaint issued against a respondent.

STATUTORY AUTHORITY: Sections 24-34-301 thru 805, 24-50-125.5, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$12,374 total funds, including \$5,174 General Fund, for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

INDIRECT COST ASSESSMENT

This line item supports the Division's share of assessed indirect cost recoveries.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$73,398 federal funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request**, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

CIVIL RIGHTS DIVISION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$74,354	\$0	\$0	\$0	\$74,354	0.0
TOTAL	\$74,354	\$0	\$0	\$0	\$74,354	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$74,354	\$0	\$0	\$0	\$74,354	0.0
Indirect cost assessment	(956)	0	0	0	(956)	0.0
TOTAL	\$73,398	\$0	\$0	\$0	\$73,398	0.0
INCREASE/(DECREASE)	(\$956)	\$0	\$0	\$0	(\$956)	0.0
Percentage Change	(1.3%)	0.0%	0.0%	0.0%	(1.3%)	0.0%

CIVIL RIGHTS DIVISION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2024-25 EXECUTIVE REQUEST	\$73,398	\$0	\$0	\$0	\$73,398	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(4) OFFICE OF THE UTILITY CONSUMER ADVOCATE

The Office of the Utility Consumer Advocate represents the public interest and the specific interests of residential, small business, and agricultural consumers in rate and rulemaking cases before the Public Utilities Commission, federal agencies, and the courts. The Office is slated for repeal on September 1, 2028, pursuant to Section 40-6.5-108, C.R.S.

OFFICE OF THE UTILITY CONSUMER ADVOCATE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$1,495,254	\$0	\$1,495,254	\$0	\$0	11.0
Other Legislation	294,791	0	294,791	0	0	2.5
TOTAL	\$1,790,045	\$0	\$1,790,045	\$0	\$0	13.5
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$1,790,045	\$0	\$1,790,045	\$0	\$0	13.5
Annualize prior year budget actions	38,588	0	38,588	0	0	0.0
Annualize prior year legislation	18,493	0	18,493	0	0	0.5
Indirect cost assessment	(907)	0	(907)	0	0	0.0
TOTAL	\$1,846,219		\$1,846,219	\$0	\$0	14.0
INCREASE/(DECREASE)	\$56,174	\$0	\$56,174	\$0	\$0	0.5
Percentage Change	3.1%	0.0%	3.1%	0.0%	0.0%	3.7%
FY 2024-25 EXECUTIVE REQUEST	\$1,846,219	\$0	\$1,846,219	\$0	\$0	14.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS - OFFICE OF THE UTILITY CONSUMER ADVOCATE

The Department did not submit any decision items for this office.

LINE ITEM DETAIL - OFFICE OF THE UTILITY CONSUMER ADVOCATE

PERSONAL SERVICES

This line item funds Office staffing and contractual services. This line item is supported by the Fixed Utility Fund.

STATUTORY AUTHORITY: Sections 40-6.5-101 thru 108, C.R.S.

REQUEST: The Department requests an appropriation of \$1,672,482 cash funds and 14.0 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

OFFICE OF THE UTILITY CONSUMER ADVOCATE, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						

OFFICE OF THE UTILITY CONSUMER ADVOCATE, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 23-214 (Long Bill)	\$1,320,785	\$0	\$1,320,785	\$0	\$0	11.0
Other Legislation	\$271,406	\$0	\$271,406	\$0	\$0	2.5
TOTAL	\$1,592,191	\$0	\$1,592,191	\$0	\$0	13.5
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$1,592,191	\$0	\$1,592,191	\$0	\$0	13.5
Annualize prior year legislation	41,703	0	41,703	0	0	0.5
Annualize prior year budget actions	38,588	0	38,588	0	0	0.0
TOTAL	\$1,672,482	\$0	\$1,672,482	\$0	\$0	14.0
INCREASE/(DECREASE)	\$80,291	\$0	\$80,291	\$0	\$0	0.5
Percentage Change	5.0%	0.0%	5.0%	0.0%	0.0%	3.7%
FY 2024-25 EXECUTIVE REQUEST	\$1,672,482	\$0	\$1,672,482	\$0	\$0	14.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item recurs includes Office operations and capital needs. This includes, but is not limited to, office supplies, telephone, postage, printing, furniture, and travel expenses. This line item is supported by the Fixed Utility Fund.

STATUTORY AUTHORITY: Sections 40-6.5-101 thru 108, C.R.S.

REQUEST: The Department requests an appropriation of \$61,389 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

OFFICE OF THE UTILITY CONSUMER ADVOCATE, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$61,214	\$0	\$61,214	\$0	\$0	0.0
Other Legislation	\$23,385	\$0	\$23,385	\$0	\$0	0.0
TOTAL	\$84,599	\$0	\$84,599	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$84,599	\$0	\$84,599	\$0	\$0	0.0
Annualize prior year legislation	(23,210)	0	(23,210)	0	0	0.0
TOTAL	\$61,389	\$0	\$61,389	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$23,210)	\$0	(\$23,210)	\$0	\$0	0.0
Percentage Change	(27.4%)	0.0%	(27.4%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$61,389	\$0	\$61,389	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

INDIRECT COST ASSESSMENT

This line item supports the Office's share of assessed indirect cost recoveries. This line item is supported by the Fixed Utility Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$112,348 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request**, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

OFFICE OF THE UTILITY CONSUMER ADVOCATE, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$113,255	\$0	\$113,255	\$0	\$0	0.0
TOTAL	\$113,255	\$0	\$113,255	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$113,255	\$0	\$113,255	\$0	\$0	0.0
Indirect cost assessment	(907)	0	(907)	0	0	0.0
TOTAL	\$112,348	\$0	\$112,348	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$907)	\$0	(\$907)	\$0	\$0	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$112,348	\$0	\$112,348	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(5) DIVISION OF FINANCIAL SERVICES

The Division of Financial Services examines and supervises state-chartered credit unions and savings and loan associations, enforces the Savings and Loan Public Deposit Protection Act, and regulates certain financial activities of life care institutions. The Division is slated for repeal on September 1, 2024, pursuant to Section 11-44-101.5, C.R.S.

DIVISION OF FINANCIAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$1,876,696	\$0	\$1,876,696	\$0	\$0	15.6
TOTAL	\$1,876,696	\$0	\$1,876,696	\$0	\$0	15.6
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$1,876,696	\$0	\$1,876,696	\$0	\$0	15.6
Annualize prior year budget actions	51,156	0	51,156	0	0	0.0
Indirect cost assessment	(1,286)	0	(1,286)	0	0	0.0
TOTAL	\$1,926,566	\$0	\$1,926,566	\$0	\$0	15.6
INCREASE/(DECREASE)	\$49,870	\$0	\$49,870	\$0	\$0	0.0
Percentage Change	2.7%	0.0%	2.7%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$1,926,566	\$0	\$1,926,566	\$0	\$0	15.6
Request Above/(Below) Recommendation	\$0		\$0	\$0	\$0	0.0

DECISION ITEMS - DIVISION OF FINANCIAL SERVICES

The Department did not submit any decision items for this division.

LINE ITEM DETAIL - DIVISION OF FINANCIAL SERVICES

PERSONAL SERVICES

This line item funds Division staffing and contractual services, as well as Board per diem. This line item is supported by the Division of Financial Services Cash Fund.

STATUTORY AUTHORITY: Sections 5-1-101 to 107, 11-30-101 and 103, 11-40-101 et seq., 11-47-101 to 120, 11-48-101 to 107, 11-101-101 thru 11-109-907, C.R.S.

REQUEST: The Department requests an appropriation of \$1,621,275 cash funds and 15.6 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

DIVISION OF FINANCIAL SERVICES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$1,570,119	\$0	\$1,570,119	\$0	\$0	15.6

DIVISION OF FINANCIAL SERVICES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
TOTAL	\$1,570,119	\$0	\$1,570,119	\$0	\$0	15.6
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$1,570,119	\$0	\$1,570,119	\$0	\$0	15.6
Annualize prior year budget actions	51,156	0	51,156	0	0	0.0
TOTAL	\$1,621,275	\$0	\$1,621,275	\$0	\$0	15.6
INCREASE/(DECREASE)	\$51,156	\$0	\$51,156	\$0	\$0	0.0
Percentage Change	3.3%	0.0%	3.3%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$1,621,275	\$0	\$1,621,275	\$0	\$0	15.6
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item includes Division operations and capital needs. This line item is supported by the Financial Services Cash Fund.

STATUTORY AUTHORITY: Sections 5-1-101 to 107, 11-30-101 and 103, 11-40-101 et seq., 11-47-101 to 120, 11-48-101 to 107, 11-101-101 thru 11-109-907, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$145,961 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

INDIRECT COST ASSESSMENT

This line item supports the Division's share of assessed indirect cost recoveries. This line item is supported by the Financial Services Cash Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$159,330 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request**, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

DIVISION OF FINANCIAL SERVICES, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$160,616	\$0	\$160,616	\$0	\$0	0.0
TOTAL	\$160,616	\$0	\$160,616	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$160,616	\$0	\$160,616	\$0	\$0	0.0
Indirect cost assessment	(1,286)	0	(1,286)	0	0	0.0

DIVISION OF FINANCIAL SERVICES, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
TOTAL	\$159,330	\$0	\$159,330	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$1,286)	\$0	(\$1,286)	\$0	\$0	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$159,330	\$0	\$159,330	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(6) DIVISION OF INSURANCE

The Division of Insurance regulates companies and agents providing health insurance, property and liability insurance (homeowners and automobile), life insurance, and title insurance. The Division is slated for repeal on September 1, 2030, pursuant to Section 10-1-103, C.R.S.

Revenue from the insurance premium tax is credited to the General Fund after appropriations to three different funds, including the Division of Insurance Cash Fund, pursuant to Section 10-3-209, C.R.S. As such, any increase in appropriations from the Division of Insurance Cash Fund reduces the overall amount of tax revenue available in the General Fund.

DIVISION OF INSURANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$23,862,615	\$10,000,000	\$13,279,064	\$0	\$583,551	110.4
Other Legislation	573,859	0	573,859	0	0	5.3
TOTAL	\$24,436,474	\$10,000,000	\$13,852,923	\$0	\$583,551	115.7
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$24,436,474	\$10,000,000	\$13,852,923	\$0	\$583,551	115.7
Annualize prior year legislation	369,501	0	369,501	0	0	2.2
Annualize prior year budget actions	(9,602,794)	(10,000,000)	359,233	0	37,973	0.0
Indirect cost assessment	(9,559)	0	(9,236)	0	(323)	0.0
TOTAL	\$15,193,622	\$0	\$14,572,421	\$0	\$621,201	117.9
INCREASE/(DECREASE)	(\$9,242,852)	(\$10,000,000)	\$719,498	\$0	\$37,650	2.2
Percentage Change	(37.8%)	(100.0%)	5.2%	0.0%	6.5%	1.9%
FY 2024-25 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$10,000,000	\$10,000,000	\$0	\$0	\$0	0.0

DECISION ITEMS - DIVISION OF INSURANCE

➔ WAIVER REQUEST: PRESCRIPTION DRUG MONITORING CASH FUND

REQUEST: The Department requests a three-year waiver (FY 2023-24 through FY 2025-26) from the excess uncommitted reserves limit for the Prescription Drug Monitoring Cash Fund, created in Section 12-280-405, C.R.S.

RECOMMENDATION: Staff recommends approval of this waiver request for FY 2023-24 only, due to misrepresentation of the fund's reserves caused by the reporting methodology used by the Office of the State Controller to calculate uncommitted reserves.

ANALYSIS:

Due to the fund's two-year renewal cycle for prescriptive authority licensees, the Prescription Drug Monitoring Cash Fund often generates high revenue in one year and low revenue in alternating years. This causes occasional non-compliance with the uncommitted excess reserve limit. However,

according to the Office of the State Controller, the Department was significantly non-compliant in FY 2022-23 and the Department expects repeated non-compliance due to recent General Fund transfers into the fund and the reporting methodology used by the Office of the State Controller.

UNCOMMITTED RESERVES COMPLIANCE: PRESCRIPTION DRUG MONITORING FUND	
FISCAL YEAR	AMOUNT OF EXCESS
2013	\$57,577
2014	\$0
2015	\$0
2016	\$0
2017	\$183,608
2018	\$0
2019	\$480,061
2020	\$174,278
2021	\$62,471
2022	\$0
2023	\$410,360

*Data based on the Office of the State Controller's reporting methodology.

H.B. 22-1115 "Prescription Drug Monitoring Program" transferred \$2.0 million General Fund to the Prescription Drug Monitoring Cash Fund to support third-party organizations to integrate data from the Prescription Drug Monitoring Program with patient electronic medical records. This transfer was included in the Office of the State Controller's reporting methodology for an excess uncommitted reserve, despite the statutory definition of an excess uncommitted reserve that *excludes* non-fee sources such as General Fund transfers, pursuant to Section 24-75-402, C.R.S. As such, the excess reserve reported by the Office of the State Controller was \$410,361 in FY 2022-23, which is the second highest reserve reported in the past ten years.

As of February 2024, out of the \$2.0 million General Fund transferred as a result of H.B. 22-115, the Department has encumbered \$700,000 and spent \$12,000. The rate of spending is dependent on funding applications received for the integration program, which has been low. The Department cannot spend this General Fund on program operations, and must continue to rely on fee revenue and corresponding fee adjustments to support program operations.

LINE ITEM DETAIL - DIVISION OF INSURANCE

PERSONAL SERVICES

This line item funds Division staffing and contractual services. The Division of Insurance is separated into two functional areas: (1) Financial Regulation is composed of corporate affairs, financial examinations, and financial affairs, and (2) Consumer Affairs is composed of rates and forms, consumer complaints, market conduct, and investigations. This line item is primarily supported by the Division of Insurance Cash Fund, with a small contribution from the Viatical Settlements Cash Fund.

STATUTORY AUTHORITY: Title 10, C.R.S.

REQUEST: The Department requests an appropriation of \$12,066,885 total funds and 111.9 FTE for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request.

DIVISION OF INSURANCE, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$10,740,549	\$0	\$10,715,364	\$0	\$25,185	104.4
Other Legislation	\$518,649	\$0	\$518,649	\$0	\$0	5.3
TOTAL	\$11,259,198	\$0	\$11,234,013	\$0	\$25,185	109.7
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$11,259,198	\$0	\$11,234,013	\$0	\$25,185	109.7
Annualize prior year legislation	410,481	0	410,481	0	0	2.2
Annualize prior year budget actions	397,206	0	359,233	0	37,973	0.0
TOTAL	\$12,066,885	\$0	\$12,003,727	\$0	\$63,158	111.9
INCREASE/(DECREASE)	\$807,687	\$0	\$769,714	\$0	\$37,973	2.2
Percentage Change	7.2%	0.0%	6.9%	0.0%	150.8%	2.0%
FY 2024-25 EXECUTIVE REQUEST	\$12,066,885	\$0	\$12,003,727	\$0	\$63,158	111.9
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item includes Division operations and capital needs. This includes, but is not limited to, office supplies, telephone, postage, printing, furniture, and travel expenses. This line item is primarily supported by the Division of Insurance Cash Fund, with a small contribution from the Viatical Settlements Cash Fund.

STATUTORY AUTHORITY: Title 10, C.R.S.

REQUEST: The Department requests an appropriation of \$346,165 cash funds for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request.

DIVISION OF INSURANCE, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$331,935	\$0	\$331,935	\$0	\$0	0.0
Other Legislation	\$55,210	\$0	\$55,210	\$0	\$0	0.0
TOTAL	\$387,145	\$0	\$387,145	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$387,145	\$0	\$387,145	\$0	\$0	0.0
Annualize prior year legislation	(40,980)	0	(40,980)	0	0	0.0
TOTAL	\$346,165	\$0	\$346,165	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$40,980)	\$0	(\$40,980)	\$0	\$0	0.0
Percentage Change	(10.6%)	0.0%	(10.6%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$346,165	\$0	\$346,165	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OUT-OF-STATE TRAVEL EXPENSES

This line item funds out-of-state travel expenses incurred when Division staff are required to perform market conduct examinations. Funds in this line item are reimbursements paid by insurance companies within the Division of Insurance Cash Fund.

STATUTORY AUTHORITY: Section 10-1-108, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$50,000 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

SENIOR HEALTH COUNSELING PROGRAM

This federally funded program provides senior citizens with Medicare information, and the appropriation is contingent on the availability of federal money from the Centers for Medicare and Medicaid Services and the U.S. Administration on Aging.

STATUTORY AUTHORITY: Title 10, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$533,253 federal funds and 2.0 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

TRANSFER TO CAPCO ADMINISTRATION

This line provides the cash funds for the administration of the Certified Capital Companies (CAPCO) Program in the Governor's Office. The Office of Economic Development and International Trade (OEDIT) certifies CAPCOs that are qualified to offer assistance to business enterprises that create jobs in the state. Insurance companies that make an investment of certified capital in an OEDIT-certified CAPCO can receive a tax credit against premium taxes owed. This line item is supported by the Division of Insurance Cash Fund.

STATUTORY AUTHORITY: Section 10-3.5-105, C.R.S.

REQUEST: The Department originally requested a continuation-level appropriation of \$13,500 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

COLORADO REINSURANCE PROGRAM

This line item provides funding for the administration of the Colorado Reinsurance Program, created in H.B. 19-1168 and modified in S.B. 20-215. The Reinsurance Program reimburses insurance companies for high cost claims with the intent of lowering premium prices for individual health insurance plans. This line item is supported by the Reinsurance Program Cash Fund.

STATUTORY AUTHORITY: 10-16-1105, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$1,015,122 cash funds and 4.0 FTE for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request.

APPROPRIATION TO THE REINSURANCE CASH FUND

Initiated as part of the FY 2023-24 Long Bill amendment process, this line item provides a one-time appropriation of \$10.0 million General Fund for the Reinsurance Program in FY 2023-24.

STATUTORY AUTHORITY: Section 10-16-1107, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$10,000,000 General Fund for FY 2024-25.

RECOMMENDATION: Staff recommends denial of the Department's request, since the FY 2023-24 appropriation was intended to be a one-time General Fund appropriation, as discussed during the conference committee for S.B. 23-214.

DIVISION OF INSURANCE, APPROPRIATION TO THE REINSURANCE CASH FUND						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$10,000,000	\$10,000,000	\$0	\$0	\$0	0.0
TOTAL	\$10,000,000	\$10,000,000	\$0	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$10,000,000	\$10,000,000	\$0	\$0	\$0	0.0
Annualize prior year budget actions	(10,000,000)	(10,000,000)	0	0	0	0.0
TOTAL	\$0	\$0	\$0	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$10,000,000)	(\$10,000,000)	\$0	\$0	\$0	0.0
Percentage Change	(100.0%)	(100.0%)	0.0%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$10,000,000	\$10,000,000	\$0	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$10,000,000	\$10,000,000	\$0	\$0	\$0	0.0

INDIRECT COST ASSESSMENT

This line item supports the Division's share of assessed indirect cost recoveries. This line item is supported by the Division of Insurance Cash Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$1,168,697 total funds for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

DIVISION OF INSURANCE, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$1,178,256	\$0	\$1,153,143	\$0	\$25,113	0.0
TOTAL	\$1,178,256	\$0	\$1,153,143	\$0	\$25,113	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$1,178,256	\$0	\$1,153,143	\$0	\$25,113	0.0
Indirect cost assessment	(9,559)	0	(9,236)	0	(323)	0.0
TOTAL	\$1,168,697	\$0	\$1,143,907	\$0	\$24,790	0.0
INCREASE/(DECREASE)	(\$9,559)	\$0	(\$9,236)	\$0	(\$323)	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	(1.3%)	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$1,168,697	\$0	\$1,143,907	\$0	\$24,790	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(7) PUBLIC UTILITIES COMMISSION

The Public Utilities Commission (PUC) regulates investor-owned electric, natural gas, telecommunications, and private water utilities, and motor vehicle carriers for hire. The Commission is slated for repeal on September 1, 2026, pursuant to Section 40-2-101, C.R.S.

PUBLIC UTILITIES COMMISSION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$20,374,490	\$0	\$20,332,212	\$0	\$42,278	122.5
Other Legislation	734,702	0	734,702	0	0	6.3
TOTAL	\$21,109,192	\$0	\$21,066,914	\$0	\$42,278	128.8
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$21,109,192	\$0	\$21,066,914	\$0	\$42,278	128.8
Annualize prior year budget actions	424,690	0	424,690	0	0	0.0
Annualize prior year legislation	182,478	0	182,478	0	0	1.2
Indirect cost assessment	(10,646)	0	(10,102)	0	(544)	0.0
TOTAL	\$21,705,714	\$0	\$21,663,980	\$0	\$41,734	130.0
INCREASE/(DECREASE)	\$596,522	\$0	\$597,066	\$0	(\$544)	1.2
Percentage Change	2.8%	0.0%	2.8%	0.0%	(1.3%)	0.9%
FY 2024-25 EXECUTIVE REQUEST	\$21,705,714	\$0	\$21,663,980	\$0	\$41,734	130.0
Request Above/(Below) Recommendation	\$0		\$0	\$0	\$0	0.0

DECISION ITEMS – PUBLIC UTILITIES COMMISSION

The Department did not submit any decision items for the Commission.

LINE ITEM DETAIL - PUBLIC UTILITIES COMMISSION

PERSONAL SERVICES

This line item funds Commission staffing and contractual services. This line item is supported by the Fixed Utility Fund and the Motor Carrier Fund, as well as smaller contributions from the Telephone Users with Disabilities Fund, Colorado High Cost Administration Fund, Transportation Network Company Fund, Telecommunications Utility Fund, and the 911 Surcharge Trust Cash Fund.

STATUTORY AUTHORITY: Title 40, C.R.S.

REQUEST: The Department requests an appropriation of \$14,402,898 cash funds and 130.0 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

PUBLIC UTILITIES COMMISSION, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE

PUBLIC UTILITIES COMMISSION, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$13,310,234	\$0	\$13,310,234	\$0	\$0	122.5
Other Legislation	\$549,415	\$0	\$549,415	\$0	\$0	6.3
TOTAL	\$13,859,649	\$0	\$13,859,649	\$0	\$0	128.8
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$13,859,649	\$0	\$13,859,649	\$0	\$0	128.8
Annualize prior year budget actions	424,690	0	424,690	0	0	0.0
Annualize prior year legislation	118,559	0	118,559	0	0	1.2
TOTAL	\$14,402,898	\$0	\$14,402,898	\$0	\$0	130.0
INCREASE/(DECREASE)	\$543,249	\$0	\$543,249	\$0	\$0	1.2
Percentage Change	3.9%	0.0%	3.9%	0.0%	0.0%	0.9%
FY 2024-25 EXECUTIVE REQUEST	\$14,402,898	\$0	\$14,402,898	\$0	\$0	130.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item pays for Division operations and capital needs. This includes, but is not limited to, office supplies, telephone, postage, printing, furniture, and travel expenses. This line item is primarily supported by the Fixed Utility Fund, Motor Carrier Fund, and the Telecommunications Utility Fund.

STATUTORY AUTHORITY: Title 40, C.R.S.

REQUEST: The Department requests an appropriation of \$739,165 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

PUBLIC UTILITIES COMMISSION, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$711,825	\$0	\$711,825	\$0	\$0	0.0
Other Legislation	\$55,195	\$0	\$55,195	\$0	\$0	0.0
TOTAL	\$767,020	\$0	\$767,020	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$767,020	\$0	\$767,020	\$0	\$0	0.0
Annualize prior year legislation	(27,855)	0	(27,855)	0	0	0.0
TOTAL	\$739,165	\$0	\$739,165	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$27,855)	\$0	(\$27,855)	\$0	\$0	0.0
Percentage Change	(3.6%)	0.0%	(3.6%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$739,165	\$0	\$739,165	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

EXPERT TESTIMONY

This line item supports contractual services requiring expertise not available from PUC staff and to assist with PUC representation before the Commissioners. This line item is supported by the Fixed Utility Fund and Telecommunications Utility Fund.

STATUTORY AUTHORITY: Section 40-6-102 (3), 40-6-109, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$250,000 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

DISABLED TELEPHONE USERS FUND PAYMENTS

Revenue for the Colorado Telephone Users with Disabilities Fund is from fees on landlines pursuant to Section 40-17-104 (1), C.R.S. Money in the fund is continuously appropriated to pay the cost of a contract that provides telecommunications relay services for individuals with disabilities. This line item is supported by the Telephone Users with Disabilities Fund.

STATUTORY AUTHORITY: Section 40-17-103 (3), C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$907,901 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

TRANSFER TO READING SERVICES FOR THE BLIND CASH FUND

Funds are appropriated to this line from the Colorado Telephone Users with Disabilities Fund and are subsequently reappropriated to the Department of Education for allocation to privately-operated reading services for the blind.

STATUTORY AUTHORITY: Section 40-17-104(1)(b)(II), C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$610,000 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

COMMISSION FOR THE DEAF AND HARD OF HEARING CASH FUND

Funds are appropriated to this line from the Colorado Telephone Users with Disabilities Fund and are subsequently reappropriated to the Department of Human Services for use by the Commission for the Deaf and Hard of Hearing.

STATUTORY AUTHORITY: Section 40-17-104 (4)(a), C.R.S.

REQUEST: The Department requests an appropriation of \$2,400,309 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

PUBLIC UTILITIES COMMISSION, COMMISSION FOR THE DEAF AND HARD OF HEARING CASH FUND						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$2,308,535	\$0	\$2,308,535	\$0	\$0	0.0
TOTAL	\$2,308,535	\$0	\$2,308,535	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$2,308,535	\$0	\$2,308,535	\$0	\$0	0.0
Annualize prior year legislation	91,774	0	91,774	0	0	0.0
TOTAL	\$2,400,309	\$0	\$2,400,309	\$0	\$0	0.0
INCREASE/(DECREASE)	\$91,774	\$0	\$91,774	\$0	\$0	0.0
Percentage Change	4.0%	0.0%	4.0%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$2,400,309	\$0	\$2,400,309	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

TALKING BOOK LIBRARY

Funds are appropriated to this line from the Colorado Telephone Users with Disabilities Fund and are subsequently reappropriated to the Department of Education to manage a program to provide audio, Braille, and large print books to those who cannot read standard print. The recommended amount in this line item is based on the requested amount from the Department of Education.

STATUTORY AUTHORITY: Section 40-17-104 (1)(b)(III), C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$253,381 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request, pending Committee action on the request for the corresponding *Colorado Talking Book Library* line item in the Department of Education.** Staff requests permission to adjust this figure and reflect Committee action for this line item after the Department of Education's figure setting presentation.

COLORADO BUREAU OF INVESTIGATION BACKGROUND CHECKS PASS-THROUGH

This line item is a pass-through from the Motor Carriers Fund for CBI/FBI background check fees to the Department of Public Safety pursuant to H.B. 07-1065 and H.B. 07-1249, which require fingerprint-based criminal history record checks for drivers of certain motor vehicle carriers and for the leadership staff of household goods moving companies.

STATUTORY AUTHORITY: Title 40, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$104,377 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

HIGHWAY-RAIL CROSSING SIGNALIZATION FUND

This line item covers expenditures made from annual statutory transfers to the Highway-Rail Crossing Signalization Fund for the purposes set forth in Section 40-29-116, C.R.S. The fund may cover installing, reconstructing, and improving automatic and other safety appliance signals or devices at crossings at grade of public highways or roads over the tracks of any railroad or street railway corporation in Colorado.

STATUTORY AUTHORITY: Sections 40-4-106 and 40-29-116, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$244,800 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

COLORADO ELECTRIC TRANSMISSION AUTHORITY

This line item was established by S.B. 21-072 in order to increase grid reliability, meet clean energy goals, and aid in economic development. The bill created the Colorado Electric Transmission Authority responsible for selecting a qualified transmission operator to finance, acquire, maintain, and operate electric transmission and interconnected storage facilities. This line item is supported by the Fixed Utility Fund.

STATUTORY AUTHORITY: Title 40, Article 42, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$500,000 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

INDIRECT COST ASSESSMENT

This line item funds the Commission's share of assessed indirect cost recoveries. This line item is primarily supported by the Fixed Utility Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$1,292,883 total funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request**, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

PUBLIC UTILITIES COMMISSION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$1,303,529	\$0	\$1,261,251	\$0	\$42,278	0.0
TOTAL	\$1,303,529	\$0	\$1,261,251	\$0	\$42,278	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						

PUBLIC UTILITIES COMMISSION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation	\$1,303,529	\$0	\$1,261,251	\$0	\$42,278	0.0
Indirect cost assessment	(10,646)	0	(10,102)	0	(544)	0.0
TOTAL	\$1,292,883	\$0	\$1,251,149	\$0	\$41,734	0.0
INCREASE/(DECREASE)	(\$10,646)	\$0	(\$10,102)	\$0	(\$544)	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	(1.3%)	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$1,292,883	\$0	\$1,251,149	\$0	\$41,734	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(8) DIVISION OF REAL ESTATE

The Division of Real Estate licenses real estate agents, appraisers, and mortgage loan originators and registers mortgage companies and homeowners' associations. The Division's various regulatory program are slated for repeal at various dates beginning on September 1, 2025, pursuant to Title 12, Article 10, C.R.S.

DIVISION OF REAL ESTATE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$5,216,579	\$0	\$5,216,579	\$0	\$0	48.9
Other Legislation	208,408	208,408	0	0	0	2.0
TOTAL	\$5,424,987	\$208,408	\$5,216,579	\$0	\$0	50.9
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$5,424,987	\$208,408	\$5,216,579	\$0	\$0	50.9
Annualize prior year budget actions	153,857	0	153,857	0	0	0.0
Annualize prior year legislation	(208,408)	(208,408)	0	0	0	(2.0)
Indirect cost assessment	(4,033)	0	(4,033)	0	0	0.0
TOTAL	\$5,366,403	\$0	\$5,366,403	\$0	\$0	48.9
INCREASE/(DECREASE)	(\$58,584)	(\$208,408)	\$149,824	\$0	\$0	(2.0)
Percentage Change	(1.1%)	(100.0%)	2.9%	0.0%	0.0%	(3.9%)
FY 2024-25 EXECUTIVE REQUEST	\$5,366,403	\$0	\$5,366,403	\$0	\$0	48.9
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS - DIVISION OF REAL ESTATE

The Department did not submit any decision items for this division.

LINE ITEM DETAIL - DIVISION OF REAL ESTATE

PERSONAL SERVICES

This line item funds Division staffing and contractual services. This line item is supported by the Division of Real Estate Cash Fund.

STATUTORY AUTHORITY: Sections 12-10-206 and 207, C.R.S.

REQUEST: The Department requests an appropriation of \$4,376,393 cash funds and 48.9 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

DIVISION OF REAL ESTATE, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						

DIVISION OF REAL ESTATE, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 23-214 (Long Bill)	\$4,222,536	\$0	\$4,222,536	\$0	\$0	48.9
Other Legislation	\$50,658	\$50,658	\$0	\$0	\$0	2.0
TOTAL	\$4,273,194	\$50,658	\$4,222,536	\$0	\$0	50.9
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$4,273,194	\$50,658	\$4,222,536	\$0	\$0	50.9
Annualize prior year budget actions	153,857	0	153,857	0	0	0.0
Annualize prior year legislation	(50,658)	(50,658)	0	0	0	(2.0)
TOTAL	\$4,376,393	\$0	\$4,376,393	\$0	\$0	48.9
INCREASE/(DECREASE)	\$103,199	(\$50,658)	\$153,857	\$0	\$0	(2.0)
Percentage Change	2.4%	(100.0%)	3.6%	0.0%	0.0%	(3.9%)
FY 2024-25 EXECUTIVE REQUEST	\$4,376,393	\$0	\$4,376,393	\$0	\$0	48.9
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item includes Division operations and capital needs. This includes, but is not limited to, office supplies, telephone, postage, printing, furniture, and travel expenses. This line item is supported by the Division of Real Estate Cash Fund.

STATUTORY AUTHORITY: Sections 12-10-206 and 207, C.R.S.

REQUEST: The Department requests an appropriation of \$198,627 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

DIVISION OF REAL ESTATE, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$198,627	\$0	\$198,627	\$0	\$0	0.0
Other Legislation	\$157,750	\$157,750	\$0	\$0	\$0	0.0
TOTAL	\$356,377	\$157,750	\$198,627	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$356,377	\$157,750	\$198,627	\$0	\$0	0.0
Annualize prior year legislation	(157,750)	(157,750)	0	0	0	0.0
TOTAL	\$198,627	\$0	\$198,627	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$157,750)	(\$157,750)	\$0	\$0	\$0	0.0
Percentage Change	(44.3%)	(100.0%)	0.0%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$198,627	\$0	\$198,627	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

COMMISSION MEETING COSTS

This line item includes per diem, travel and miscellaneous costs for Real Estate Commission members attending meetings to conduct business related to rule-making, policy formulation, taking disciplinary

action, and making licensing decisions. This line item is supported by the Division of Real Estate Cash Fund.

STATUTORY AUTHORITY: Sections 12-10-206 and 207, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$36,332 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

HEARINGS PURSUANT TO COMPLAINT

This line item funds complaint investigation, including contracts for expert witness testimony, depositions, and shorthand/court reports and transcripts. Expenses associated with hearings, proceedings, and mediations, as well as a portion of the cost of cases referred to the Attorney General, are funded via this line item. Attorney General expenses include costs for expert witnesses, court reporters, transcripts, and depositions. This line item is supported by the Division of Real Estate Cash Fund.

STATUTORY AUTHORITY: Sections 12-10-206 and 207, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$4,000 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

MORTGAGE BROKER CONSUMER PROTECTION

This line item supports the investigation and prosecution of mortgage broker complaints in the Attorney General's Office. This line item is supported by the Division of Real Estate Cash Fund.

STATUTORY AUTHORITY: Sections 12-10-206 and 207, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$251,613 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

INDIRECT COST ASSESSMENT

This line item funds the Division's share of assessed indirect cost recoveries. This line item is supported by the Division of Real Estate Cash Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$499,438 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request,** which reflects Committee action taken during the figure setting presentation for operating common policies on

January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

DIVISION OF REAL ESTATE, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$503,471	\$0	\$503,471	\$0	\$0	0.0
TOTAL	\$503,471	\$0	\$503,471	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$503,471	\$0	\$503,471	\$0	\$0	0.0
Indirect cost assessment	(4,033)	0	(4,033)	0	0	0.0
TOTAL	\$499,438	\$0	\$499,438	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$4,033)	\$0	(\$4,033)	\$0	\$0	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$499,438	\$0	\$499,438	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(9) DIVISION OF PROFESSIONS AND OCCUPATIONS

The Division of Professions and Occupations regulates licensees in over 50 professions, occupations, and businesses to ensure a basic level of competence to protect the public welfare. The professions and occupations regulated by this Division vary in repeal dates.

DIVISION OF PROFESSIONS AND OCCUPATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$23,212,856	\$0	\$22,608,416	\$593,451	\$10,989	227.6
TOTAL	\$23,212,856	\$0	\$22,608,416	\$593,451	\$10,989	227.6
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$23,212,856	\$0	\$22,608,416	\$593,451	\$10,989	227.6
Annualize prior year budget actions	656,800	0	656,800	0	0	0.0
Indirect cost assessment	(18,857)	0	(18,857)	0	0	0.0
Annualize prior year legislation	(7,046)	0	(7,046)	0	0	0.2
TOTAL	\$23,843,753	\$0	\$23,239,313	\$593,451	\$10,989	227.8
INCREASE/(DECREASE)	\$630,897	\$0	\$630,897	\$0	\$0	0.2
Percentage Change	2.7%	0.0%	2.8%	0.0%	0.0%	0.1%
FY 2024-25 EXECUTIVE REQUEST	\$23,843,753	\$0	\$23,239,313	\$593,451	\$10,989	227.8
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

DECISION ITEMS - DIVISION OF PROFESSIONS AND OCCUPATIONS

→ WAIVER REQUEST: DIVISION OF PROFESSIONS AND OCCUPATIONS CASH FUND

REQUEST: The Department requests a three-year waiver (FY 2023-24 through FY 2025-26) from the excess uncommitted reserves limit for the Division of Professions and Occupations (DPO) Cash Fund, created in Section 12-20-105, C.R.S.

RECOMMENDATION: Staff recommends approval of this cash fund waiver request for FY 2023-24, due to the Division's existing efforts to maintain compliance and misrepresentation of the fund's reserves caused by the reporting methodology used by the Office of the State Controller to calculate uncommitted reserves.

ANALYSIS:

The DPO cash fund has inconsistent revenue due to varying license renewal schedules, and correspondingly, is occasionally non-compliant with the excess uncommitted reserve limit. As a result of the fund's non-compliance in FY 2021-22, the Division significantly reduced fees in FY 2022-23 that resulted in a \$4.8 million decrease in fee revenue, which is greater than the \$3.9 million in excess uncommitted reserves in FY 2021-22.

However, in FY 2022-23, the Office of the State Auditor indicated that the fund remained out of compliance, despite reducing fee revenue by \$4.8 million. The increase in reserves was due to a significant increase in *non-fee revenue* that resulted in \$7.8 million in excess uncommitted reserves.

UNCOMMITTED RESERVES COMPLIANCE: PRESCRIPTION DRUG MONITORING FUND*	
FISCAL YEAR	AMOUNT OF EXCESS
2013	\$637,249
2014	\$379,545
2015	\$0
2016	\$0
2017	\$0
2018	\$465,247
2019	\$0
2020	\$0
2021	\$0
2022	\$3,882,428
2023	\$7,812,728

*Data based on the Office of the State Controller's reporting methodology.

Pursuant to Section 24-75-402, C.R.S., non-fee revenue sources should be excluded from the excess uncommitted reserve. However, the Office of the State Controller's reporting methodology included \$15.4 million in General Fund transfers for fee relief to nurses, nurse aides, psychiatric technicians, and mental health professionals as a result of H.B. 22-1298 and H.B. 22-1299. As such, the majority of the fund's reserve is currently comprised of General Fund transfers for fee relief that are intended to be used for specific professions spread out across multiple years.

When using an alternate methodology that does not include the two General Fund transfers, the fund remains out of compliance, but by a much smaller excess uncommitted reserve of \$306,642. The Department is projected to continue spending down the fund's balance over the next two years. In FY 2023-24, the ending balance is projected to decrease by \$11.3 million, which is larger than the Department's FY 2022-23 excess reserve. Additionally, in FY 2024-25, the ending balance is projected to further decrease by \$6.4 million, and a waiver is not projected to be needed.

So long as the Office of the State Controller continues to utilize their existing reporting methodology, the Department's General Fund transfers for fee relief will continue to prohibit the fund from remaining compliant. As such, staff recommends approval of a one-year (FY 2023-24) excess uncommitted reserve fund waiver for the Division of Professions and Occupations Cash Fund.

LINE ITEM DETAIL - DIVISION OF PROFESSIONS AND OCCUPATIONS

PERSONAL SERVICES

This line item funds Division staffing, contractual services, and Board per diem, supported primarily by the Division of Professions and Occupations Cash Fund with smaller contributions from the Prescription Drug Monitoring Fund and Marijuana Tax Cash Fund.

STATUTORY AUTHORITY: Sections 12-20-101 thru 12-20-408, C.R.S.

REQUEST: The Department requests an appropriation of \$18,864,134 total funds and 222.8 FTE for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request.

DIVISION OF PROFESSIONS AND OCCUPATIONS, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$18,213,280	\$0	\$17,619,829	\$593,451	\$0	222.6
TOTAL	\$18,213,280	\$0	\$17,619,829	\$593,451	\$0	222.6
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$18,213,280	\$0	\$17,619,829	\$593,451	\$0	222.6
Annualize prior year budget actions	656,800	0	656,800	0	0	0.0
Annualize prior year legislation	(5,946)	0	(5,946)	0	0	0.2
TOTAL	\$18,864,134	\$0	\$18,270,683	\$593,451	\$0	222.8
INCREASE/(DECREASE)	\$650,854	\$0	\$650,854	\$0	\$0	0.2
Percentage Change	3.6%	0.0%	3.7%	0.0%	0.0%	0.1%
FY 2024-25 EXECUTIVE REQUEST	\$18,864,134	\$0	\$18,270,683	\$593,451	\$0	222.8
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

OPERATING EXPENSES

This line item funds Division operations and capital needs. This includes, but is not limited to, office supplies, telephone, postage, printing, and travel expenses. The line item is supported primarily by the Division of Professions and Occupations Cash Fund with smaller contributions from the Prescription Drug Monitoring Fund and Marijuana Tax Cash Fund.

STATUTORY AUTHORITY: Sections 12-20-101 thru 12-20-408, C.R.S.

REQUEST: The Department requests an appropriation of \$1,838,807 cash funds for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request.

DIVISION OF PROFESSIONS AND OCCUPATIONS, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$1,839,907	\$0	\$1,839,907	\$0	\$0	0.0
TOTAL	\$1,839,907	\$0	\$1,839,907	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$1,839,907	\$0	\$1,839,907	\$0	\$0	0.0
Annualize prior year legislation	(1,100)	0	(1,100)	0	0	0.0
TOTAL	\$1,838,807	\$0	\$1,838,807	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$1,100)	\$0	(\$1,100)	\$0	\$0	0.0
Percentage Change	(0.1%)	0.0%	(0.1%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$1,838,807	\$0	\$1,838,807	\$0	\$0	0.0

DIVISION OF PROFESSIONS AND OCCUPATIONS, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OFFICE OF EXPEDITED SETTLEMENT PROGRAM COSTS

The Office of Expedited Settlement oversees the expedited settlement process for complaints received by boards and commissions that is an alternative to an administrative hearing. The goal is resolve complaints prior to the use of the Attorney General's Office and incurring legal service costs. This line item is supported by the Division of Professions and Occupations Cash Fund.

STATUTORY AUTHORITY: Sections 12-20-101 thru 12-20-408, C.R.S.

REQUEST: The Department requests an appropriation of \$483,600 cash funds and 5.0 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

HEARINGS PURSUANT TO COMPLAINT

This line item pays for expenses associated with the Division's hearings and mediations to resolve complaints received. The line item also funds a portion of the expert witnesses, court reporters, transcripts, and depositions expenses incurred by the Office of the Attorney General in the Department of Law. This line item is supported by the Division of Professions and Occupations Cash Fund.

STATUTORY AUTHORITY: Sections 12-20-101 thru 12-20-408, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$307,075 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

PAYMENTS TO DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

Federal regulations require the state to certify nurse aides who work in medical facilities with Medicaid or Medicare patients. Federal matching funds pay half the cost of the Medicaid portion of this program, but the Department cannot apply directly for the federal match because Medicaid's centralization rules require that the matching funds be routed through the Department of Health Care Policy and Financing.

STATUTORY AUTHORITY: Sections 12-20-101 thru 12-20-408, and Section 12-255-201, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$14,652 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

INDIRECT COST ASSESSMENT

This line item funds the Division's share of assessed indirect cost recoveries. This line item is supported by the Division of Professions and Occupations Cash Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$2,335,485 total funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request**, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

DIVISION OF PROFESSIONS AND OCCUPATIONS, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$2,354,342	\$0	\$2,343,353	\$0	\$10,989	0.0
TOTAL	\$2,354,342	\$0	\$2,343,353	\$0	\$10,989	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$2,354,342	\$0	\$2,343,353	\$0	\$10,989	0.0
Indirect cost assessment	(18,857)	0	(18,857)	0	0	0.0
TOTAL	\$2,335,485	\$0	\$2,324,496	\$0	\$10,989	0.0
INCREASE/(DECREASE)	(\$18,857)	\$0	(\$18,857)	\$0	\$0	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(10) DIVISION OF SECURITIES

The Division of Securities monitors the conduct of broker-dealers and sales representatives, investigates citizen complaints, and investigates indicators of investment fraud.

DIVISION OF SECURITIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$4,280,748	\$0	\$4,280,748	\$0	\$0	24.0
TOTAL	\$4,280,748	\$0	\$4,280,748	\$0	\$0	24.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$4,280,748	\$0	\$4,280,748	\$0	\$0	24.0
Annualize prior year budget actions	100,668	0	100,668	0	0	0.0
Indirect cost assessment	(1,979)	0	(1,979)	0	0	0.0
TOTAL	\$4,379,437		\$4,379,437	\$0	\$0	24.0
INCREASE/(DECREASE)	\$98,689	\$0	\$98,689	\$0	\$0	0.0
Percentage Change	2.3%	0.0%	2.3%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0		\$0	\$0	\$0	0.0

DECISION ITEMS - DIVISION OF SECURITIES

The Department did not submit any decision items impacting the Division of Securities.

LINE ITEM DETAIL - DIVISION OF SECURITIES

PERSONAL SERVICES

This line item funds Division staffing and contractual services. This line item is supported by the Division of Securities Cash Fund.

STATUTORY AUTHORITY: Sections 11-51-101, et seq.; 11-53-101, et seq.; 11-59-101, et seq.; 24-75-701, et seq., C.R.S.

REQUEST: The Department requests an appropriation of \$2,668,637 cash funds and 24.0 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

DIVISION OF SECURITIES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$2,567,969	\$0	\$2,567,969	\$0	\$0	24.0
TOTAL	\$2,567,969	\$0	\$2,567,969	\$0	\$0	24.0
FY 2024-25 RECOMMENDED APPROPRIATION						

DIVISION OF SECURITIES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation	\$2,567,969	\$0	\$2,567,969	\$0	\$0	24.0
Annualize prior year budget actions	100,668	0	100,668	0	0	0.0
TOTAL	\$2,668,637	\$0	\$2,668,637	\$0	\$0	24.0
INCREASE/(DECREASE)	\$100,668	\$0	\$100,668	\$0	\$0	0.0
Percentage Change	3.9%	0.0%	3.9%	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$2,668,637	\$0	\$2,668,637	\$0	\$0	24.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item funds Division operations and capital needs. This includes, but is not limited to, office supplies, telephone, postage, printing, and travel expenses. This line item is supported by the Division of Securities Cash Fund.

STATUTORY AUTHORITY: Sections 11-51-101, et seq.; 11-53-101, et seq.; 11-59-101, et seq.; 24-75-701, et seq., C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$99,064 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval the Department's request.**

HEARINGS PURSUANT TO COMPLAINT

This line item funds complaint investigation, including contracts for expert witness testimony, depositions, and shorthand/court reports, and transcripts. This line item pays for expenses associated with hearings, proceedings, and mediations, as well as a portion of the cost of cases referred to the Attorney General. Attorney General expenses include costs for expert witnesses, court reporters, transcripts, and depositions. This line item is supported by the Division of Securities Cash Fund.

STATUTORY AUTHORITY: Sections 11-51-101, et seq.; 11-53-101, et seq.; 11-59-101, et seq.; 24-75-701, et seq., C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$19,594 cash funds for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

BOARD MEETING COSTS

This line item funds per diem, travel, and miscellaneous costs incurred by the Colorado Securities Board members when they attend Board meetings. This line item is supported by the Division of Securities Cash Fund.

STATUTORY AUTHORITY: Sections 11-51-101, et seq.; 11-53-101, et seq.; 11-59-101, et seq.; 24-75-701, et seq., C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$4,500 cash funds for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request.

SECURITIES FRAUD PROSECUTION

This line item supports expenditures in the Department of Law for the criminal prosecution of securities fraud. This line item is supported by the Division of Securities Cash Fund.

STATUTORY AUTHORITY: Sections 11-51-101, et seq.; 11-53-101, et seq.; 11-59-101, et seq.; 24-75-701, et seq., C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$1,342,519 cash funds for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request.

INDIRECT COST ASSESSMENT

This line item funds the Division's share of assessed indirect cost recoveries. This line item is supported by the Division of Securities Cash Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$245,123 cash funds for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

DIVISION OF SECURITIES, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$247,102	\$0	\$247,102	\$0	\$0	0.0
TOTAL	\$247,102	\$0	\$247,102	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$247,102	\$0	\$247,102	\$0	\$0	0.0
Indirect cost assessment	(1,979)	0	(1,979)	0	0	0.0
TOTAL	\$245,123	\$0	\$245,123	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$1,979)	\$0	(\$1,979)	\$0	\$0	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$245,123	\$0	\$245,123	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(11) DIVISION OF CONSERVATION

The Division of Conservation, in conjunction with the Conservation Easement Oversight Commission, certifies conservation easement holders and conservation easement tax credit certificates. The Division is slated for repeal on July 1, 2026, pursuant to Section 12-15-104, C.R.S.

DIVISION OF CONSERVATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 Appropriation						
SB 23-214 (Long Bill)	\$671,392	\$0	\$671,392	\$0	\$0	5.8
TOTAL	\$671,392	\$0	\$671,392	\$0	\$0	5.8
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$671,392	\$0	\$671,392	\$0	\$0	5.8
Indirect cost assessment	(478)	0	(478)	0	0	0.0
TOTAL	\$670,914		\$670,914	\$0	\$0	5.8
INCREASE/(DECREASE)	(\$478)	\$0	(\$478)	\$0	\$0	0.0
Percentage Change	(0.1%)	0.0%	(0.1%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST	\$670,914	\$0	\$670,914	\$0	\$0	5.8
Request Above/(Below) Recommendation	\$0		\$0	\$0	\$0	0.0

DECISION ITEMS - DIVISION OF CONSERVATION

The Department did not submit any decision items impacting the Division of Conservation.

LINE ITEM DETAIL - DIVISION OF CONSERVATION

CONSERVATION EASEMENT PROGRAM COSTS

This line item funds Division staffing and contractual services. This line item is supported by the Conservation Cash Fund.

STATUTORY AUTHORITY: Section 12-15-101 thru 107, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$611,676 cash funds and 5.8 FTE for FY 2024-25.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

INDIRECT COST ASSESSMENT

This line item funds the Division's share of assessed indirect cost recoveries. This line item is supported by the Conservation Cash Fund.

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$59,238 cash funds for FY 2024-25.

RECOMMENDATION: Staff recommends approval of the Department's request, which reflects Committee action taken during the figure setting presentation for operating common policies on January 29, 2024. Staff requests permission to update this appropriation as necessary based on subsequent Committee common policy decisions.

DIVISION OF CONSERVATION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION						
SB 23-214 (Long Bill)	\$59,716	\$0	\$59,716	\$0	\$0	0.0
TOTAL	\$59,716	\$0	\$59,716	\$0	\$0	0.0
FY 2024-25 RECOMMENDED APPROPRIATION						
FY 2023-24 Appropriation	\$59,716	\$0	\$59,716	\$0	\$0	0.0
Indirect cost assessment	(478)	0	(478)	0	0	0.0
TOTAL	\$59,238	\$0	\$59,238	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$478)	\$0	(\$478)	\$0	\$0	0.0
Percentage Change	(0.8%)	0.0%	(0.8%)	0.0%	0.0%	0.0%
FY 2024-25 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION

LONG BILL FOOTNOTES

The FY 2023-24 Long Bill does not include any footnotes for this department, and staff does not recommend any footnote changes for the Department.

REQUESTS FOR INFORMATION

Staff recommends **ADDING** the following request for information:

- 1 Department of Regulatory Agencies; Division of Professions and Occupations. The Department is requested to provide the following information to the Joint Budget Committee quarterly on or by the first day of June, September, January, and March:
 - a. The number of Certified Nurse Aide (CNA) candidates that have passed the written exam over the past year, broken down by month;
 - b. The number of candidates that are currently registered for a skills exam, broken down by the month in which the skills exam is scheduled;
 - c. The number of skills exams that have been cancelled, including: the location, the date the exam was scheduled for, the date the exam was cancelled, and the reason for cancellation; and
 - d. Updates on the progress of efforts to improve the language accessibility of the current certification process, real-time information pertaining to test availability, and vendor communications to candidates.

APPENDIX A: NUMBERS PAGES

Appendix A details actual expenditures for the last two state fiscal years, the appropriation for the current fiscal year, and the requested appropriation for next fiscal year. This information is listed by line item and fund source.

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------

DEPARTMENT OF REGULATORY AGENCIES

Patty Salazar, Executive Director

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

The Executive Director's Office provides administrative and technical support for the Department's divisions and programs, including functions associated with accounting, purchasing, budgeting, communications, legislative services, and human resources. The Office also includes the Colorado Office of Policy, Research, and Regulatory Reform, which is responsible for sunrise and sunset reviews.

Personal Services	<u>2,635,087</u>	<u>2,927,403</u>	<u>3,210,518</u>	<u>3,378,434</u>	<u>3,378,434</u>
FTE	28.3	29.2	35.7	35.7	35.7
General Fund	16,000	17,000	5,500	5,500	5,500
Cash Funds	0	(15,556)	34,500	34,500	34,500
Reappropriated Funds	2,619,087	2,925,959	3,170,518	3,338,434	3,338,434
Health, Life, and Dental	<u>5,705,549</u>	<u>6,097,622</u>	<u>6,900,303</u>	<u>7,859,250</u>	<u>7,859,251</u>
General Fund	202,885	174,787	282,177	303,537	303,537
Cash Funds	5,135,353	5,539,232	6,138,171	6,917,391	6,917,391
Reappropriated Funds	367,311	383,603	371,861	489,796	489,797
Federal Funds	0	0	108,094	148,526	148,526
Short-term Disability	<u>61,779</u>	<u>64,632</u>	<u>70,461</u>	<u>79,583</u>	<u>79,583</u>
General Fund	2,370	1,629	2,279	2,662	2,662
Cash Funds	55,176	58,762	62,976	69,854	69,854
Reappropriated Funds	4,233	4,241	4,160	5,581	5,581
Federal Funds	0	0	1,046	1,486	1,486

NOTE: An asterisk (*) indicates that the FY 2024-25 request for a line item is affected by one or more decision items.

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
Temporary Employees Related to Authorized Leave	<u>0</u>	<u>0</u>	<u>36,163</u>	<u>36,163</u>	<u>36,163</u>
General Fund	0	0	1,217	1,217	1,217
Cash Funds	0	0	32,163	32,163	32,163
Reappropriated Funds	0	0	2,783	2,783	2,783
Unfunded Liability Amortization Equalization					
Disbursement Payments	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,305,504</u>
General Fund	0	0	0	0	177,466
Cash Funds	0	0	0	0	4,656,900
Reappropriated Funds	0	0	0	0	372,082
Federal Funds	0	0	0	0	99,056
S.B. 04-257 Amortization Equalization Disbursement	<u>1,974,465</u>	<u>2,154,375</u>	<u>2,378,612</u>	<u>2,652,752</u>	<u>0</u>
General Fund	53,613	50,994	76,902	88,733	0
Cash Funds	1,787,334	1,965,426	2,125,689	2,328,450	0
Reappropriated Funds	133,518	137,955	140,733	186,041	0
Federal Funds	0	0	35,288	49,528	0
S.B. 06-235 Supplemental Amortization Equalization					
Disbursement	<u>1,974,425</u>	<u>2,154,375</u>	<u>2,378,612</u>	<u>2,652,752</u>	<u>0</u>
General Fund	53,613	50,994	76,902	88,733	0
Cash Funds	1,787,294	1,965,426	2,125,689	2,328,450	0
Reappropriated Funds	133,518	137,955	140,733	186,041	0
Federal Funds	0	0	35,288	49,528	0

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
PERA Direct Distribution	<u>1,002,384</u>	<u>1,023,594</u>	<u>162,158</u>	<u>1,089,945</u>	<u>1,243,874</u>
General Fund	36,698	0	5,242	56,808	61,621
Cash Funds	900,142	961,349	147,322	956,698	1,096,797
Reappropriated Funds	65,544	62,245	9,594	76,439	85,456
Federal Funds	0	0	0	0	0
Salary Survey	<u>1,116,874</u>	<u>1,255,085</u>	<u>2,575,125</u>	<u>3,364,842</u>	<u>1,973,626</u>
General Fund	40,709	33,527	82,778	83,065	67,188
Cash Funds	988,777	1,130,876	2,295,553	2,950,476	1,732,467
Reappropriated Funds	87,388	90,682	158,821	250,262	137,846
Federal Funds	0	0	37,973	81,039	36,125
Step Pay	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,474,872</u>
General Fund	0	0	0	0	18,725
Cash Funds	0	0	0	0	1,291,443
Reappropriated Funds	0	0	0	0	118,259
Federal Funds	0	0	0	0	46,445
Paid Family and Medical Leave Insurance	<u>0</u>	<u>0</u>	<u>0</u>	<u>238,748</u>	<u>238,748</u>
General Fund	0	0	0	7,985	7,985
Cash Funds	0	0	0	209,561	209,561
Reappropriated Funds	0	0	0	16,744	16,744
Federal Funds	0	0	0	4,458	4,458
Workers' Compensation	<u>183,955</u>	<u>213,542</u>	<u>198,234</u>	<u>269,918</u>	<u>261,785</u>
General Fund	6,122	7,127	6,511	7,825	8,597
Cash Funds	171,343	198,859	182,224	235,909	240,643
Reappropriated Funds	6,490	7,556	6,902	20,515	9,115
Federal Funds	0	0	2,597	5,669	3,430

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
Operating Expenses	<u>93,246</u>	<u>122,758</u>	<u>260,082</u>	<u>260,082</u>	<u>260,082</u>
General Fund	3,686	0	3,689	3,689	3,689
Cash Funds	0	0	95,427	95,427	95,427
Reappropriated Funds	89,560	122,758	160,966	160,966	160,966
Legal Services	<u>10,346,189</u>	<u>11,906,495</u>	<u>15,699,034</u>	<u>17,837,761</u>	<u>17,837,761</u>
General Fund	154,061	171,693	260,321	227,542	227,542
Cash Funds	10,135,527	11,641,177	15,221,867	17,393,373	17,393,373
Reappropriated Funds	56,601	93,625	124,080	124,080	124,080
Federal Funds	0	0	92,766	92,766	92,766
Administrative Law Judge Services	<u>408,797</u>	<u>531,448</u>	<u>336,998</u>	<u>397,210</u>	<u>372,715</u>
General Fund	18,470	24,012	15,226	77,990	16,840
Cash Funds	390,327	507,436	321,772	319,220	355,875
Payment to Risk Management and Property Funds	<u>222,877</u>	<u>373,515</u>	<u>695,301</u>	<u>240,079</u>	<u>345,613</u>
General Fund	7,616	12,800	23,404	6,959	11,633
Cash Funds	207,564	347,654	637,600	209,830	316,932
Reappropriated Funds	7,697	13,061	23,879	18,247	11,869
Federal Funds	0	0	10,418	5,043	5,179
Vehicle Lease Payments	<u>233,303</u>	<u>216,790</u>	<u>412,563</u>	<u>499,075</u>	<u>499,075</u> *
Cash Funds	233,303	216,790	412,563	499,075	499,075
IT Accessibility	<u>0</u>	<u>0</u>	<u>1,282,709</u>	<u>1,282,709</u>	<u>1,282,709</u>
Cash Funds	0	0	1,282,709	1,282,709	1,282,709

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
Information Technology Asset Maintenance	<u>518,306</u>	<u>648,045</u>	<u>1,678,403</u>	<u>1,678,403</u>	<u>1,678,403</u>
Cash Funds	342,698	498,694	1,487,646	1,487,646	1,487,646
Reappropriated Funds	175,608	149,351	190,757	190,757	190,757
Hardware/Software Maintenance	<u>563,839</u>	<u>431,239</u>	<u>590,939</u>	<u>590,939</u>	<u>590,939</u>
General Fund	0	0	800	800	800
Cash Funds	312,650	193,158	331,537	331,537	331,537
Reappropriated Funds	251,189	238,081	258,602	258,602	258,602
Leased Space	<u>4,171,476</u>	<u>4,366,655</u>	<u>4,765,514</u>	<u>5,098,259</u>	<u>5,098,259</u>
General Fund	138,335	167,080	195,825	208,557	208,557
Cash Funds	3,584,606	3,766,417	3,939,395	4,226,401	4,226,401
Reappropriated Funds	448,535	433,158	451,784	484,791	484,791
Federal Funds	0	0	178,510	178,510	178,510
Payments to OIT	<u>3,633,431</u>	<u>4,547,333</u>	<u>6,593,593</u>	<u>8,015,723</u>	<u>8,015,723</u>
General Fund	183,803	176,741	288,891	273,885	273,885
Cash Funds	3,449,628	4,370,592	6,214,252	7,651,388	7,651,388
Reappropriated Funds	0	0	90,450	90,450	90,450
CORE Operations	<u>298,800</u>	<u>360,814</u>	<u>280,922</u>	<u>119,837</u>	<u>78,249</u> *
General Fund	11,722	14,158	10,885	3,077	3,032
Cash Funds	271,502	327,842	252,139	106,472	70,232
Reappropriated Funds	15,576	18,814	14,466	8,061	4,029
Federal Funds	0	0	3,432	2,227	956
Consumer Outreach/Education Program	<u>161,625</u>	<u>83,948</u>	<u>205,000</u>	<u>205,000</u>	<u>205,000</u>
Cash Funds	161,625	83,948	205,000	205,000	205,000

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
DPA Administration Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>75,134</u>	<u>75,134</u> *
General Fund	0	0	0	2,179	2,179
Cash Funds	0	0	0	67,095	67,095
Reappropriated Funds	0	0	0	5,860	5,860
DHR State Agency Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>97,173</u>	<u>97,173</u> *
General Fund	0	0	0	2,819	2,819
Cash Funds	0	0	0	86,775	86,775
Reappropriated Funds	0	0	0	7,579	7,579
DHR Training Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>19,587</u>	<u>19,587</u> *
General Fund	0	0	0	372	372
Cash Funds	0	0	0	18,213	18,213
Reappropriated Funds	0	0	0	1,002	1,002
DHR Labor Relations Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>141,594</u>	<u>141,594</u> *
General Fund	0	0	0	4,107	4,107
Cash Funds	0	0	0	126,443	126,443
Reappropriated Funds	0	0	0	11,044	11,044
Financial Ops and Reporting Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>211,689</u>	<u>211,689</u> *
General Fund	0	0	0	6,139	6,139
Cash Funds	0	0	0	189,038	189,038
Reappropriated Funds	0	0	0	16,512	16,512
Procurement and Contracts Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>131,102</u>	<u>131,102</u> *
General Fund	0	0	0	3,802	3,802
Cash Funds	0	0	0	117,074	117,074
Reappropriated Funds	0	0	0	10,226	10,226

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
TOTAL - (1) Executive Director's Office and Administrative Services	35,306,407	39,479,668	50,711,244	58,523,743	58,792,647
<i>FTE</i>	<u>28.3</u>	<u>29.2</u>	<u>35.7</u>	<u>35.7</u>	<u>35.7</u>
General Fund	929,703	902,542	1,338,549	1,467,982	1,419,894
Cash Funds	29,914,849	33,758,082	43,546,194	50,476,168	50,801,952
Reappropriated Funds	4,461,855	4,819,044	5,321,089	5,960,813	5,953,864
Federal Funds	0	0	505,412	618,780	616,937

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------

(2) DIVISION OF BANKING

The Division of Banking regulates state-chartered commercial banks, trust companies, money transmitters, and national and interstate banks that maintain Public Deposit accounts in Colorado.

Personal Services	<u>3,869,743</u>	<u>3,885,049</u>	<u>4,273,063</u>	<u>4,969,224</u>	<u>4,879,048</u> *
FTE	36.6	36.2	40.0	44.6	44.6
Cash Funds	3,869,743	3,885,049	4,273,063	4,969,224	4,879,048
Operating Expenses	<u>340,961</u>	<u>433,113</u>	<u>490,733</u>	<u>628,233</u>	<u>628,233</u> *
Cash Funds	340,961	433,113	490,733	628,233	628,233
Board Meeting Costs	<u>4,025</u>	<u>10,662</u>	<u>23,500</u>	<u>23,500</u>	<u>23,500</u>
Cash Funds	4,025	10,662	23,500	23,500	23,500
Indirect Cost Assessment	<u>360,870</u>	<u>357,950</u>	<u>411,837</u>	<u>408,538</u>	<u>408,538</u>
Cash Funds	360,870	357,950	411,837	408,538	408,538
TOTAL - (2) Division of Banking	4,575,599	4,686,774	5,199,133	6,029,495	5,939,319
FTE	<u>36.6</u>	<u>36.2</u>	<u>40.0</u>	<u>44.6</u>	<u>44.6</u>
Cash Funds	4,575,599	4,686,774	5,199,133	6,029,495	5,939,319

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
(3) CIVIL RIGHTS DIVISION					
The Division of Civil Rights enforces Colorado’s anti-discrimination laws in the areas of employment, housing, and public accommodations.					
Personal Services	<u>1,668,823</u>	<u>2,193,885</u>	<u>3,425,004</u>	<u>3,497,265</u>	<u>3,497,265</u>
FTE	32.5	26.6	40.8	40.8	40.8
General Fund	1,171,648	1,706,619	1,741,015	1,813,276	1,813,276
Reappropriated Funds	497,175	487,266	1,205,311	1,205,311	1,205,311
Federal Funds	0	0	478,678	478,678	478,678
Operating Expenses	<u>33,753</u>	<u>59,539</u>	<u>312,247</u>	<u>187,612</u>	<u>187,612</u>
General Fund	33,753	59,539	269,071	144,436	144,436
Federal Funds	0	0	43,176	43,176	43,176
Hearings Pursuant to Complaint	<u>3,221</u>	<u>2,241</u>	<u>18,000</u>	<u>18,000</u>	<u>18,000</u>
General Fund	3,221	2,241	17,000	17,000	17,000
Federal Funds	0	0	1,000	1,000	1,000
Commission Meeting Costs	<u>493</u>	<u>829</u>	<u>12,374</u>	<u>12,374</u>	<u>12,374</u>
General Fund	493	829	5,174	5,174	5,174
Federal Funds	0	0	7,200	7,200	7,200
Indirect Cost Assessment	<u>0</u>	<u>0</u>	<u>74,354</u>	<u>73,398</u>	<u>73,398</u>
General Fund	0	0	0	0	0
Federal Funds	0	0	74,354	73,398	73,398
TOTAL - (3) Civil Rights Division	1,706,290	2,256,494	3,841,979	3,788,649	3,788,649
FTE	32.5	26.6	40.8	40.8	40.8
General Fund	1,209,115	1,769,228	2,032,260	1,979,886	1,979,886
Reappropriated Funds	497,175	487,266	1,205,311	1,205,311	1,205,311
Federal Funds	0	0	604,408	603,452	603,452

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	------------------------------	------------------------------	-------------------------------------	-------------------------------	--------------------------------------

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------

(4) OFFICE OF THE UTILITY CONSUMER ADVOCATE

The Office of Consumer Counsel represents the public interest and the specific interests of residential, small business, and agricultural consumers in rate and rulemaking cases before the Public Utilities Commission, federal agencies, and the courts.

Personal Services	<u>899,309</u>	<u>995,795</u>	<u>1,592,191</u>	<u>1,672,482</u>	<u>1,672,482</u>
FTE	7.0	7.4	13.5	14.0	14.0
Cash Funds	899,309	995,795	1,592,191	1,672,482	1,672,482
Operating Expenses	<u>46,982</u>	<u>61,214</u>	<u>84,599</u>	<u>61,389</u>	<u>61,389</u>
Cash Funds	46,982	61,214	84,599	61,389	61,389
Indirect Cost Assessment	<u>63,152</u>	<u>98,436</u>	<u>113,255</u>	<u>112,348</u>	<u>112,348</u>
Cash Funds	63,152	98,436	113,255	112,348	112,348

TOTAL - (4) Office of the Utility Consumer Advocate	1,009,443	1,155,445	1,790,045	1,846,219	1,846,219
FTE	<u>7.0</u>	<u>7.4</u>	<u>13.5</u>	<u>14.0</u>	<u>14.0</u>
Cash Funds	1,009,443	1,155,445	1,790,045	1,846,219	1,846,219

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------

(5) DIVISION OF FINANCIAL SERVICES

The Division of Financial Services examines and supervises state-chartered credit unions and savings and loan associations, enforces the Savings and Loan Public Deposit Protection Act, and regulates certain financial activities of life care institutions.

Personal Services	<u>1,258,439</u>	<u>1,193,135</u>	<u>1,570,119</u>	<u>1,621,275</u>	<u>1,621,275</u>
FTE	13.8	12.8	15.6	15.6	15.6
Cash Funds	1,258,439	1,193,135	1,570,119	1,621,275	1,621,275
Operating Expenses	<u>125,760</u>	<u>129,275</u>	<u>145,961</u>	<u>145,961</u>	<u>145,961</u>
Cash Funds	125,760	129,275	145,961	145,961	145,961
Indirect Cost Assessment	<u>74,029</u>	<u>139,601</u>	<u>160,616</u>	<u>159,330</u>	<u>159,330</u>
Cash Funds	74,029	139,601	160,616	159,330	159,330
TOTAL - (5) Division of Financial Services	1,458,228	1,462,011	1,876,696	1,926,566	1,926,566
FTE	<u>13.8</u>	<u>12.8</u>	<u>15.6</u>	<u>15.6</u>	<u>15.6</u>
Cash Funds	1,458,228	1,462,011	1,876,696	1,926,566	1,926,566

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------

(6) DIVISION OF INSURANCE

The Division of Insurance regulates companies and agents providing health insurance, property and liability insurance (homeowners and automobile), life insurance, and title insurance.

Personal Services	<u>7,943,857</u>	<u>9,932,749</u>	<u>11,259,198</u>	<u>12,066,885</u>	<u>12,066,885</u>
FTE	82.5	86.4	109.7	111.9	111.9
Cash Funds	7,943,857	9,932,749	11,234,013	12,003,727	12,003,727
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	25,185	63,158	63,158
Operating Expenses	<u>264,769</u>	<u>327,433</u>	<u>387,145</u>	<u>346,165</u>	<u>346,165</u>
Cash Funds	264,769	327,433	387,145	346,165	346,165
Out-of-State Travel Expenses	<u>0</u>	<u>0</u>	<u>50,000</u>	<u>50,000</u>	<u>50,000</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	50,000	50,000	50,000
Federal Funds	0	0	0	0	0
Senior Health Counseling Program	<u>1,038,463</u>	<u>1,612,090</u>	<u>533,253</u>	<u>533,253</u>	<u>533,253</u>
FTE	3.6	3.0	2.0	2.0	2.0
Federal Funds	1,038,463	1,612,090	533,253	533,253	533,253
Transfer to CAPCO Administration	<u>85,291</u>	<u>85,291</u>	<u>13,500</u>	<u>13,500</u>	<u>13,500</u>
Cash Funds	85,291	85,291	13,500	13,500	13,500
Colorado Reinsurance Program	<u>523,216</u>	<u>531,323</u>	<u>1,015,122</u>	<u>1,015,122</u>	<u>1,015,122</u>
FTE	3.0	3.2	4.0	4.0	4.0
Cash Funds	523,216	531,323	1,015,122	1,015,122	1,015,122
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
Appropriation to the Reinsurance Cash Fund	<u>0</u>	<u>0</u>	<u>10,000,000</u>	<u>10,000,000</u>	<u>0</u>
General Fund	0	0	10,000,000	10,000,000	0
Indirect Cost Assessment	<u>794,332</u>	<u>863,148</u>	<u>1,178,256</u>	<u>1,168,697</u>	<u>1,168,697</u>
Cash Funds	794,332	863,148	1,153,143	1,143,907	1,143,907
Federal Funds	0	0	25,113	24,790	24,790
TOTAL - (6) Division of Insurance	10,649,928	13,352,034	24,436,474	25,193,622	15,193,622
<i>FTE</i>	<u>89.1</u>	<u>92.6</u>	<u>115.7</u>	<u>117.9</u>	<u>117.9</u>
General Fund	0	0	10,000,000	10,000,000	0
Cash Funds	9,611,465	11,739,944	13,852,923	14,572,421	14,572,421
Reappropriated Funds	0	0	0	0	0
Federal Funds	1,038,463	1,612,090	583,551	621,201	621,201

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------

(7) PUBLIC UTILITIES COMMISSION

The Public Utilities Commission regulates investor-owned electric, natural gas, telecommunications, private water utilities, and motor vehicle carriers for hire.

Personal Services	<u>10,095,819</u>	<u>11,698,080</u>	<u>13,859,649</u>	<u>14,402,898</u>	<u>14,402,898</u>
FTE	83.6	90.3	128.8	130.0	130.0
Cash Funds	10,095,819	11,698,080	13,859,649	14,402,898	14,402,898
Operating Expenses	<u>553,884</u>	<u>667,327</u>	<u>767,020</u>	<u>739,165</u>	<u>739,165</u>
Cash Funds	553,884	667,327	767,020	739,165	739,165
Reappropriated Funds	0	0	0	0	0
Expert Testimony	<u>0</u>	<u>0</u>	<u>250,000</u>	<u>250,000</u>	<u>250,000</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	250,000	250,000	250,000
Disabled Telephone Users Fund Payments	<u>706,477</u>	<u>685,473</u>	<u>907,901</u>	<u>907,901</u>	<u>907,901</u>
Cash Funds	706,477	685,473	907,901	907,901	907,901
Transfer to Reading Services for the Blind Cash Fund	<u>510,000</u>	<u>610,000</u>	<u>610,000</u>	<u>610,000</u>	<u>610,000</u>
Cash Funds	510,000	610,000	610,000	610,000	610,000
Commission for the Deaf and Hard of Hearing Cash Fund	<u>2,088,387</u>	<u>2,517,943</u>	<u>2,308,535</u>	<u>2,400,309</u>	<u>2,400,309</u>
Cash Funds	2,088,387	2,517,943	2,308,535	2,400,309	2,400,309
Colorado Talking Book Library	<u>250,000</u>	<u>250,000</u>	<u>253,381</u>	<u>253,381</u>	<u>253,381</u>
Cash Funds	250,000	250,000	253,381	253,381	253,381

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
Colorado Bureau of Investigation Background					
Checks Pass-through	<u>1,659</u>	<u>2,015</u>	<u>104,377</u>	<u>104,377</u>	<u>104,377</u>
Cash Funds	1,659	2,015	104,377	104,377	104,377
Highway-Rail Crossing Signalization Fund	<u>94</u>	<u>294,427</u>	<u>244,800</u>	<u>244,800</u>	<u>244,800</u>
Cash Funds	94	294,427	244,800	244,800	244,800
Indirect Cost Assessment	<u>935,823</u>	<u>1,080,116</u>	<u>1,303,529</u>	<u>1,292,883</u>	<u>1,292,883</u>
Cash Funds	935,823	1,080,116	1,261,251	1,251,149	1,251,149
Federal Funds	0	0	42,278	41,734	41,734
Colorado Electric Transmission Authority	<u>0</u>	<u>148,901</u>	<u>500,000</u>	<u>500,000</u>	<u>500,000</u>
FTE	0.0	0.0	0.0	0.0	0.0
Cash Funds	0	148,901	500,000	500,000	500,000
TOTAL - (7) Public Utilities Commission	15,142,143	17,954,282	21,109,192	21,705,714	21,705,714
FTE	<u>83.6</u>	<u>90.3</u>	<u>128.8</u>	<u>130.0</u>	<u>130.0</u>
General Fund	0	0	0	0	0
Cash Funds	15,142,143	17,954,282	21,066,914	21,663,980	21,663,980
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	42,278	41,734	41,734

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
(8) DIVISION OF REAL ESTATE					
The Division of Real Estate licenses real estate agents, appraisers, and mortgage loan originators and registers mortgage companies and homeowners associations.					
Personal Services	<u>3,883,013</u>	<u>3,712,957</u>	<u>4,273,194</u>	<u>4,376,393</u>	<u>4,376,393</u>
FTE	45.3	44.3	50.9	48.9	48.9
General Fund	0	0	50,658	0	0
Cash Funds	3,883,013	3,712,957	4,222,536	4,376,393	4,376,393
Operating Expenses	<u>223,288</u>	<u>135,810</u>	<u>356,377</u>	<u>198,627</u>	<u>198,627</u>
General Fund	0	0	157,750	0	0
Cash Funds	223,288	135,810	198,627	198,627	198,627
Commission Meeting Costs	<u>37</u>	<u>0</u>	<u>36,332</u>	<u>36,332</u>	<u>36,332</u>
Cash Funds	37	0	36,332	36,332	36,332
Hearings Pursuant to Complaint	<u>0</u>	<u>0</u>	<u>4,000</u>	<u>4,000</u>	<u>4,000</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	4,000	4,000	4,000
Mortgage Broker Consumer Protection	<u>207,399</u>	<u>208,577</u>	<u>251,613</u>	<u>251,613</u>	<u>251,613</u>
Cash Funds	207,399	208,577	251,613	251,613	251,613
Indirect Cost Assessment	<u>441,164</u>	<u>437,595</u>	<u>503,471</u>	<u>499,438</u>	<u>499,438</u>
Cash Funds	441,164	437,595	503,471	499,438	499,438
TOTAL - (8) Division of Real Estate	4,754,901	4,494,939	5,424,987	5,366,403	5,366,403
FTE	<u>45.3</u>	<u>44.3</u>	<u>50.9</u>	<u>48.9</u>	<u>48.9</u>
General Fund	0	0	208,408	0	0
Cash Funds	4,754,901	4,494,939	5,216,579	5,366,403	5,366,403

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------

(9) DIVISION OF PROFESSIONS AND OCCUPATIONS

The Division of Professions and Occupations regulates licensees in over 50 professions, occupations, and businesses to ensure a basic level of competence to protect the public welfare.

Personal Services	<u>14,379,074</u>	<u>15,581,275</u>	<u>18,213,280</u>	<u>18,864,134</u>	<u>18,864,134</u>
FTE	184.5	186.7	222.6	222.8	222.8
Cash Funds	14,073,864	15,292,028	17,619,829	18,270,683	18,270,683
Reappropriated Funds	305,210	289,247	593,451	593,451	593,451
Operating Expenses	<u>868,506</u>	<u>1,282,448</u>	<u>1,839,907</u>	<u>1,838,807</u>	<u>1,838,807</u>
Cash Funds	868,506	1,282,448	1,839,907	1,838,807	1,838,807
Office of Expedited Settlement Program Costs	<u>445,150</u>	<u>452,959</u>	<u>483,600</u>	<u>483,600</u>	<u>483,600</u>
FTE	5.5	5.5	5.0	5.0	5.0
Cash Funds	445,150	452,959	483,600	483,600	483,600
Hearings Pursuant to Complaint	<u>179,194</u>	<u>209,436</u>	<u>307,075</u>	<u>307,075</u>	<u>307,075</u>
Cash Funds	179,194	209,436	307,075	307,075	307,075
Payments to Department of Health Care Policy and Financing	<u>14,652</u>	<u>14,652</u>	<u>14,652</u>	<u>14,652</u>	<u>14,652</u>
Cash Funds	14,652	14,652	14,652	14,652	14,652
Indirect Cost Assessment	<u>1,860,347</u>	<u>1,911,456</u>	<u>2,354,342</u>	<u>2,335,485</u>	<u>2,335,485</u>
Cash Funds	1,860,347	1,911,456	2,343,353	2,324,496	2,324,496
Federal Funds	0	0	10,989	10,989	10,989

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
Appropriation to the Regulated Natural Medicines					
Access Program Fund	<u>0</u>	<u>700,000</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	700,000	0	0	0
Electronic Medical Records Assistance	<u>0</u>	<u>2,045,198</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	2,045,198	0	0	0
Cash Funds	0	0	0	0	0
TOTAL - (9) Division of Professions and Occupations	17,746,923	22,197,424	23,212,856	23,843,753	23,843,753
FTE	<u>190.0</u>	<u>192.2</u>	<u>227.6</u>	<u>227.8</u>	<u>227.8</u>
General Fund	0	2,745,198	0	0	0
Cash Funds	17,441,713	19,162,979	22,608,416	23,239,313	23,239,313
Reappropriated Funds	305,210	289,247	593,451	593,451	593,451
Federal Funds	0	0	10,989	10,989	10,989

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
(10) DIVISION OF SECURITIES					
The Division of Securities monitors the conduct of broker-dealers and sales representatives, investigates citizen complaints, and investigates indicators of investment fraud.					
Personal Services	<u>2,470,439</u>	<u>2,240,230</u>	<u>2,567,969</u>	<u>2,668,637</u>	<u>2,668,637</u>
FTE	24.1	24.0	24.0	24.0	24.0
Cash Funds	2,470,439	2,240,230	2,567,969	2,668,637	2,668,637
Operating Expenses	<u>76,868</u>	<u>88,316</u>	<u>99,064</u>	<u>99,064</u>	<u>99,064</u>
Cash Funds	76,868	88,316	99,064	99,064	99,064
Hearings Pursuant to Complaint	<u>15,286</u>	<u>2,094</u>	<u>19,594</u>	<u>19,594</u>	<u>19,594</u>
Cash Funds	15,286	2,094	19,594	19,594	19,594
Board Meeting Costs	<u>163</u>	<u>168</u>	<u>4,500</u>	<u>4,500</u>	<u>4,500</u>
Cash Funds	163	168	4,500	4,500	4,500
Securities Fraud Prosecution	<u>986,534</u>	<u>1,233,537</u>	<u>1,342,519</u>	<u>1,342,519</u>	<u>1,342,519</u>
Cash Funds	986,534	1,233,537	1,342,519	1,342,519	1,342,519
Indirect Cost Assessment	<u>216,522</u>	<u>46,709</u>	<u>247,102</u>	<u>245,123</u>	<u>245,123</u>
Cash Funds	216,522	46,709	247,102	245,123	245,123
TOTAL - (10) Division of Securities	3,765,812	3,611,054	4,280,748	4,379,437	4,379,437
FTE	24.1	24.0	24.0	24.0	24.0
Cash Funds	3,765,812	3,611,054	4,280,748	4,379,437	4,379,437

JBC Staff Figure Setting - FY 2024-25
Staff Working Document - Does Not Represent Committee Decision

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	FY 2024-25 Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------

(11) DIVISION OF CONSERVATION

The Division of Conservation, in conjunction with the Conservation Easement Oversight Commission, certifies conservation easement holders and conservation easement tax credit certificates.

Conservation Easement Program Costs	<u>182,516</u>	<u>264,830</u>	<u>611,676</u>	<u>611,676</u>	<u>611,676</u>
FTE	1.5	2.5	5.8	5.8	5.8
Cash Funds	182,516	264,830	611,676	611,676	611,676
Indirect Cost Assessment	<u>34,283</u>	<u>51,903</u>	<u>59,716</u>	<u>59,238</u>	<u>59,238</u>
Cash Funds	34,283	51,903	59,716	59,238	59,238
TOTAL - (11) Division of Conservation	216,799	316,733	671,392	670,914	670,914
FTE	<u>1.5</u>	<u>2.5</u>	<u>5.8</u>	<u>5.8</u>	<u>5.8</u>
Cash Funds	216,799	316,733	671,392	670,914	670,914

TOTAL - Department of Regulatory Agencies	96,332,473	110,966,858	142,554,746	153,274,515	143,453,243
FTE	<u>551.8</u>	<u>558.1</u>	<u>698.4</u>	<u>705.1</u>	<u>705.1</u>
General Fund	2,138,818	5,416,968	13,579,217	13,447,868	3,399,780
Cash Funds	87,890,952	98,342,243	120,109,040	130,170,916	130,406,524
Reappropriated Funds	5,264,240	5,595,557	7,119,851	7,759,575	7,752,626
Federal Funds	1,038,463	1,612,090	1,746,638	1,896,156	1,894,313

APPENDIX B: INDIRECT COST METHODOLOGY

DESCRIPTION OF INDIRECT COST ASSESSMENT METHODOLOGY

The Department's methodology for allocating indirect costs is based on appropriated FTE, which most reasonably approximates the pro-rata share of Divisions and programs for the shared costs of administrative oversight and central services. Importantly, JBC staff may exercise its ability to ensure that appropriations match actual expense, which helps to keep the methodology accurate even as staffing patterns change over time. Further, an important part of the methodology is that recoverable costs from federal grants are applied first, so that cash agency indirects are calculated to include only indirect costs for which they will be actually billed. Alternative methodologies (for instance using other bases such as total expenses, personal services expenses, or actual time tracking) are thought to either be less accurate, too labor-intensive, or similar in terms of accuracy.

INDIRECT COST POOL

The pool of allocable indirect costs includes two components: administrative oversight and central services provided by the Executive Director's Office (estimated \$5.2 million in FY 2023-24), and the Statewide Indirect Cost Assessment Plan (estimated \$1.2 million in FY 2023-24), which represents statewide overhead provided to the Department.

INDIRECT COST BASE

Appropriated FTE is utilized as the basis for allocating indirect costs across the Department. In that way, a Division's percentage share of total appropriated FTE is the same as their percentage share of paying for administrative oversight, central services, and statewide overhead.

INDIRECT COST RATE

The applicable rate for recovering indirect costs from federal grants is 9.0% of base wages and benefits paid by a federal grant. The applicable rate for state cash funded FTE is a product of indirect calculations each year; however, FY 2023-24's estimated rate is 0.16% per FTE, or \$10,484 per paying cash funded FTE.