

# MEMORANDUM



## JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee  
FROM Carolyn Kampman, JBC Staff Director  
DATE June 6, 2020  
SUBJECT Status of Budget Package Bills

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Of the 42 bills and one resolution in the budget package:

- One bill and one resolution are pending action in the House.
- Two bills passed by the House are pending in the Senate.
- Six bills were amended by the Senate and passed on Third Reading.
- Twenty-nine bills have passed Third Reading in the Senate and were not amended in either chamber, including: H.B. 20-1361; H.B. 20-1362; H.B. 20-1363; H.B. 20-1365; H.B. 20-1366; H.B. 20-1367; H.B. 20-1368; H.B. 20-1369; H.B. 20-1370; H.B. 20-1371; H.B. 20-1372; H.B. 20-1374; H.B. 20-1375; H.B. 20-1378; H.B. 20-1379; H.B. 20-1380; H.B. 20-1385; H.B. 20-1386; H.B. 20-1387; H.B. 20-1388; H.B. 20-1389; H.B. 20-1390; H.B. 20-1391; H.B. 20-1392; H.B. 20-1393; H.B. 20-1395; H.B. 20-1396; H.B. 20-1398; and H.B. 20-1401.
- Four bills have passed Third Reading in the Senate and the Senate accepted the House amendments and did not adopt any additional amendments, including: H.B. 20-1364; H.B. 20-1377; H.B. 20-1394; and H.B. 20-1400.

**The status of the nine bills and the resolution that require further action in either chamber are described below.**

### BILLS AND RESOLUTIONS PENDING HOUSE ACTION

- **H.B. 20-1373 (USE OF TOBACCO TAX UNDER EMERGENCY):** Referred by the House Appropriations Committee to the Committee of the Whole on May 27, 2020. The bill is currently pending second reading in the House. No amendments have been adopted to date.
- **H.J.R. 20-1008 (DECLARING FISCAL EMERGENCY FOR USE OF TOBACCO TAX):** Referred by the House Appropriations Committee to the Committee of the Whole on May 27, 2020. The resolution is currently pending Third Reading in the House. No amendments have been adopted to date. *[Section 21 (7) of Article X of the State Constitution requires approval by a two-thirds majority of the members of both houses of the General Assembly and the Governor.]*

### BILLS PENDING IN THE SENATE

- **H.B. 20-1376 (MODIFY EXISTING TRANSPORTATION FUNDING MECHANISMS):** This bill was introduced on June 6, 2020, and assigned to the Senate Finance Committee. The House amended this bill as follows:

- The House Appropriations Committee adopted an amendment decreasing by \$12,000,000 the FY 2020-21 General Fund appropriation to the Treasury Department for “S.B. 17-267 Collateralization Lease Purchase Payments”, and increasing the cash funds appropriation for the same purpose by \$12,000,000. The cash funds come from the Department of Transportation. The amendment is consistent with the budget package plan.
- The House on Second Reading adopted an amendment repealing the requirement that a ballot issue seeking approval for the issuance of transportation revenue anticipation notes (TRANS) be submitted to voters at the November 2020 election.
- **H.B. 20-1383 (REDUCE THE GENERAL FUND RESERVE):** This bill is pending Third Reading in the Senate. No amendments have been adopted to date. [The Committee may need to adjust the reserve percentage for FY 2020-21 depending on the status of other pending legislation.]

#### BILLS AMENDED BY THE SENATE AND PASSED ON THIRD READING

**H.B. 20-1381 (CASH FUND TRANSFER AUGMENT GENERAL FUND):** The Senate adopted an amendment on Second Reading to add a provision transferring the unexpended and unencumbered balance in the State Employees Reserve Fund (SERF) on June 30, 2020, to the General Fund. [With the passage of H.B. 20-1153, this transfer is now estimated to be \$25,600,000, rather than \$32,600,000.]

**H.B. 20-1382 (REVERSION OF CASH FUND INTO GENERAL FUND):** The Senate adopted an amendment on Second Reading to strike a provision that transferred the unexpended and unencumbered balance in the State Employees Reserve Fund (SERF) to the General Fund on the effective date of the bill and then repealed the Fund on June 30, 2020. Thus, this bill now simply repeals the Technology Advancement and Emergency Fund and transfers the unspent and unencumbered balance of the Fund to the General Fund (an estimated transfer of \$13,900,000).

**H.B. 20-1384 (CHILD AND YOUTH BEHAVIORAL HEALTH SYSTEM):** The Senate retained the House amendment to the bill. The Senate also adopted an amendment on Second Reading to strike all appropriation adjustments in the bill that reduced funds for administration in the Department of Health Care Policy and Financing (HCPF) for FY 2020-21 (an appropriation of \$527,492 General Fund, anticipated federal funds of \$662,571, and 3.9 related FTE). [This JBC bill makes the implementation of S.B. 19-195 subject to available appropriation. Please note that the fiscal note for S.B. 19-195 estimated significantly higher expenditures for the implementation of S.B. 19-195 starting in FY 2021-22: \$10.8 million total funds, including \$5.5 million General Fund (primarily in HCPF).]

**H.B. 20-1397 (ELIMINATE CDPHE SUPPORT FOR CERTAIN BOARDS):** The Senate adopted an amendment on Second Reading to make the following changes to the bill:

- *Stroke Board:* Move the Stroke Advisory Board out of the Department of Public Health and Environment (CDPHE); remove the Executive Director of CDPHE from Stroke Board membership; and allow this board to accept and expend gifts, grants, and donations.

- *Health Facilities General Licensure Cash Fund*: Remove the requirement that gifts, grants, and donations be deposited in the health facilities general licensure cash;
- *Coroners Standards and Training Board*: Remove the Coroners Standards and Training Board from CDPHE; remove language creating the Coroners Board as a type 2 board; give the Coroners Board the ability to accept and expend gifts, grants, and donations; allow the Coroners Board to manage the gifts, grants, and donations in an account of its choosing; remove the requirement that the gifts, grants, and donations be deposited into the Coroner Training Fund; require money in the Coroner Training Fund upon passage of the bill to be paid out to the board; and require fees collected for coroner training programs to be given to the Coroner Board instead of transferred into the Coroner Training Fund.

**H.B. 20-1399 (LIMITED GAMING TAX TRANSFERS TO CASH)**: The Senate adopted the Senate Appropriations Committee Report, which made technical adjustments to the appropriations for indirect cost collections in the Department of Local Affairs. This amendment increased FY 2020-21 reappropriated funds appropriations to the Department of Local Affairs by \$33,272 and made various adjustments to cash funds appropriations with a net \$0 impact. The Senate also adopted an amendment on Second Reading to strike a provision that reduced the cash funds appropriation from the Colorado Travel and Tourism Promotion Fund for the Destination Development Program by \$600,000. The Office of Economic Development and International Trade indicated that this appropriation should not be reduced as it derives in part from interest on money in the Unclaimed Property Trust Fund and not gaming tax revenue.

**H.B. 20-1360 (LONG BILL)**

Senate amendments to the Long Bill are detailed on the next page. House amendments that were retained are detailed in the following page.

AMENDMENTS TO THE LONG BILL AS PASSED BY THE SENATE									
(Reflects Changes to H.B. 20-1360 as Passed by Senate on Second Reading)									
Reference	Department	General Fund (GF)	GF - CARE Subfund	Cash Funds	Reappropriated Funds	Federal Funds	Total Funds	FTE	Purpose
Senate Approp. Comm. Rpt.	Multiple Departments	\$100,000	\$0	\$0	\$0	\$0	\$100,000	0.0	Reverses House Amendment #7 (J.011), which decreased appropriations to multiple departments for vehicle lease payments by a total of \$100,000 General Fund.
Senate Approp. Comm. Rpt.	Education	(100,000)	0	0	0	0	(100,000)	0.0	Reverses House Amendment #7 (J.011), which added \$100,000 General Fund for the State Share of Districts' Total Program Funding.
Senate Approp. Comm. Rpt.	Personnel	0	0	0	389,374	0	389,374	0.0	Reverses House Amendment #7 (J.011), which decreased the appropriation for Operating Costs for the State Fleet Management and Motor Pool Services program by \$389,374 reappropriated funds.
Senate Approp. Comm. Rpt.	Multiple Departments	3,820,666	0	0	0	0	3,820,666	0.0	Reverses House Amendment #23 (J.004), which decreased appropriations to multiple departments for vehicle lease payments by a total of \$3,820,666 General Fund.
Senate Approp. Comm. Rpt.	Health Care Policy and Financing	(3,820,666)	0	(45,128)	0	(2,183,347)	(6,049,141)	0.0	Reverses House Amendment #23 (J.004), which increased appropriations for Medical Services Premiums related to home health services by \$6.0 million total funds, including \$3,820,666 General Fund, \$45,128 cash funds, and \$2,183,347 federal funds.
Senate Amendment #4a (J.117)	Human Services	0	3,000,000	0	0	0	3,000,000	0.0	Restores and modifies House Amendment #36 (J.059), which appropriated \$500,000 from the CARE Subfund in the General Fund for the Domestic Abuse Program and added a related footnote. This amendment increases the appropriation by \$2,500,000 to a total of \$3,000,000.
Senate Approp. Comm. Rpt.	Human Services	0	0	(1,000,000)	0	0	(1,000,000)	0.0	Reverses House Amendment #38 (J.026), which increased by \$1.0 million the appropriation from the MTFC for S.B. 91-094 Programs.
Senate Approp. Comm. Rpt.	Local Affairs	0	0	1,000,000	0	0	1,000,000	0.0	Reverses House Amendment #38 (J.026), which decreased by \$1.0 million the appropriation from the MTFC for the Gray and Black Market Marijuana Enforcement Grant Program.
Senate Amendment #8 (J.112)	Governor	(527,492)	0	0	0	0	(527,492)	0.0	Decreases the General Fund appropriation for Applications Administration in the Governor's Office of Information Technology by \$527,492. [This funding was then appropriated through a separate amendment to H.B. 20-1384.]
Senate Amendment #10 (J.091)	Judicial	400,000	0	0	0	0	400,000	0.0	Increases the General Fund appropriation for District Attorney Adult Pretrial Diversion Programs by \$400,000.
Senate Amendment #12 (J.090)	Natural Resources	0	0	1,761,000	0	0	1,761,000	0.0	Increases by \$1,761,000 the cash funds appropriations from the Oil and Gas Conservation and Environmental Response Fund to the Oil and Gas Conservation Commission for plugging and reclaiming orphaned wells and emergency response.
Senate Amendment #13 (J.103)	Public Health and Environment	0	2,000,000	0	0	0	2,000,000	0.0	Appropriates \$2,000,000 from the CARE Subfund in the General Fund for the Immunization Outreach Grant Program and adds a related footnote.
<b>OPERATING TOTAL</b>		<b>(\$127,492)</b>	<b>\$5,000,000</b>	<b>\$1,715,872</b>	<b>\$389,374</b>	<b>(\$2,183,347)</b>	<b>\$4,794,407</b>	<b>0.0</b>	

HOUSE AMENDMENTS TO THE LONG BILL THAT WERE RETAINED BY THE SENATE									
(Reflects H.B. 20-1360 as Passed by Senate on Second Reading)									
Reference	Department	General Fund (GF)	GF - CARE Subfund	Cash Funds	Reappropriated Funds	Federal Funds	Total Funds	FTE	Purpose
House Amendment #33 (J.013)	Higher Education	\$0	\$0	\$250,000	\$0	\$0	\$250,000	0.0	Adds \$250,000 from the Marijuana Tax Cash Fund (MTCF) for provider education programs in the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the CU Health Sciences Center.
House Amendment #33 (J.013)	Human Services	0	0	3,250,000	0	0	3,250,000	0.0	Increases by \$2,500,000 the appropriation from the MTCF for the Circle Program and by \$750,000 the MTCF appropriation for the Tony Gramscas Youth Services Program.
House Amendment #33 (J.013)	Public Health and Environment	0	0	(3,904,102)	0	0	(3,904,102)	(3.7)	Eliminates the \$4,654,102 appropriation from the MTCF and 3.7 FTE for the Marijuana Education Campaign. Adds \$750,000 from the MTCF for the Health Disparities Grant Program.
House Amendment #35 (J.041)	Human Services	0	0	0	0	0	0	0.0	Adds a footnote concerning the General Assembly's intent to fully fund the cost of additional county child welfare staff in the future.
House Amendment #45 (J.029)	Labor and Employment	0	0	0	0	0	0	0.0	Adds a footnote concerning the General Assembly's intent that the Governor deposit into the Unemployment Compensation Fund any of the \$1.6 billion federal funds received from the Coronavirus Relief Fund that cannot be spent due to federal requirements.
House Amendment #48 (J.075)	Local Affairs	0	0	0	0	0	0	0.0	Adds a footnote concerning the General Assembly's intent that the Governor allocate as grants to the 59 counties that did not receive direct allocations from the Coronavirus Relief Fund any of the \$1.6 billion that cannot be spent due to federal requirements.
House Amendment #44a (J.078)	Labor and Employment	0	0	0	0	0	0	0.0	Adds a footnote concerning the General Assembly's intent that unemployment insurance premiums not be increased in January 2021.
<b>OPERATING TOTAL</b>		<b>\$0</b>	<b>\$0</b>	<b>(\$404,102)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$404,102)</b>	<b>(3.7)</b>	