

# MEMORANDUM



## JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee  
FROM Carolyn Kampman, JBC Staff Director (303-866-4959)  
DATE April 6, 2023  
SUBJECT Summary of Long Bill Amendments and Status of 2023 Budget Package Bills

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### LONG BILL (S.B. 23-214)

#### SENATE ACTION

The JBC Staff prepared a packet of 50 Long Bill amendments for the Senate. Of the 37 amendments that were offered, 17 were adopted. **In total, these amendments increase General Fund appropriations for FY 2023-24 by \$84.9 million, including:**

- \$84,928,021 General Fund;
- \$20,000 cash funds from the Division of Insurance Cash Fund; and
- \$500,000 federal funds.

#### HOUSE ACTION

The JBC Staff prepared a packet of 74 Long Bill amendments for the House. Of the 62 amendments that were offered, 25 were adopted. **The House retained 13 of the 17 Senate amendments** (with two of these amendments modified). **The House also adopted 12 additional amendments.**

***Compared to the introduced version of the Long Bill, the rerevised (House) version of the Long Bill increases appropriations for FY 2023-24 by a total of \$111.0 million.*** This increase includes:

- \$107,986,517 General Fund;
- \$20,000 cash funds from the Division of Insurance Cash Fund;
- \$2,000,000 reappropriated funds; and
- \$1,000,000 federal funds.

The table that begins on page four (Attachment A) lists all of the amendments adopted by the House and Senate, categorized as follows:

- Amendments (11) that are included in both the Senate and House versions;
- Senate amendments (2) that were adopted in a modified form by the House;
- Amendments (4) that were adopted by the Senate but not retained by the House; and
- Amendments (12) that were adopted by the House but not the Senate.

### BUDGET PACKAGE BILLS

Of the 32 JBC-sponsored bills that were introduced as a package with the Long Bill (SB 23-215 through SB 23-246), 31 have been adopted by both chambers. Senate Bill 23-232 was introduced in the House on April 5. Seven of the 32 bills have been amended by one or both chambers, as described below.

- *S.B. 23-220: Public School Capital Construction Assistance Grants.* The bill specifies that approximately \$4.7 million in unspent money transferred and appropriated for FY 2021-22 for air quality improvement grants must not be used for that purpose and instead must be used for financial assistance as provided in the "Building Excellent Schools Today Act". The bill also repeals the scheduled transfer of \$30.0 million from the Marijuana Tax Cash Fund to the Public School Capital Construction Assistance Fund on June 1, 2023.

#### Senate Amendments

The Senate Appropriations Committee adopted sponsor amendment L.001 to insert the number of the bill into the text of the bill. This amendment was adopted by the Senate on second reading.

#### House Amendment

The House adopted sponsor amendment L.003, which **transfers on June 1, 2023, \$1,000,000 from the General Fund to the Public School Capital Construction Assistance Fund.**

- *S.B. 23-227: State Agency Attorney Hourly Rate.* The bill creates a mechanism to set the hourly rate for attorneys who contract with the Office of Alternate Defense Counsel, the Office of the Child's Representative, or the Office of the Respondent Parents' Counsel. The Senate Appropriations Committee adopted sponsor amendment L.001 to modify provisions concerning the Office of the Alternate Defense Counsel to clarify that the Office's schedule of rates (rather than a single rate) will all adjust in proportion to the target rate. This amendment was adopted by the Senate on second reading.
- *S.B. 23-228: Office of Administrative Services for Independent Agencies.* The bill creates an independent administrative support office to support independent agencies within the Judicial Department. The House adopted sponsor amendment L.004, which includes technical clarifications related to the responsibilities of the Office Director and the administrative board for S.B. 23-228. These clarifications were requested by the independent agencies.
- *S.B. 23-229: Statewide Behavioral Health Court Liaison Office.* The bill makes the Bridges Program within the Judicial Department an independent office and provides funding to expand the office. The House adopted two amendments:
  - Sponsor amendment L.002 adds the Director of the Office of Civil and Forensic Mental Health (OCFMH, an office within the Department of Human Services) to the Bridges Commission. Additionally, in order to retain an odd number of Commission members and ensure that public members comprise a majority of the Commission, the amendment also adds an additional public member appointed by the Chief Justice. The effect of these two amendments is to increase the Commission from nine to 11 members, including five specified members and six appointed members.
  - Sponsor amendment L.003 adds: (1) language clarifying that the Bridges Program and Bridges liaisons are to avoid duplication and bifurcation of services in their relationship with the OCFMH; and (2) specified data points for the annual report that include competency status and outcomes and data related to participant diversion from competency services, custody/incarceration, and criminal justice involvement.

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- *S.B. 23-232: Unemployment Insurance Premiums Allocation Fed Law Compliance.* The bill modifies unemployment insurance premiums and surcharges to bring the Employment Support Fund into federal compliance. It also refinances certain appropriations for the Department of Labor and Employment, substituting cash funds for General Fund, starting in FY 2023-24. The House adopted five amendments as described below.
  - L.001 and L.002 adjust language in the bill with no substantive impacts; and
  - L.005, L.006, and L.007 eliminate the appropriation clause to remove the refinance of \$899,537 in General Fund appropriations with Employment Support Fund in FY 2023-24, and amend the allowable uses of the Employment Support Fund to no longer fund labor standards, labor relations, and the Colorado works grievance procedure beginning in FY 2025-26. Compared to the introduced bill, **these amendments increase General Fund appropriations for FY 2023-24 by \$899,537.**
- *S.B. 23-236: Electric Vehicle Service Equipment Fund.* The bill creates the Electric Vehicle Service Equipment Fund, to consist of money received by the Department of Military and Veterans Affairs for the charging of electric vehicles at the Department's charging sites. The Senate Appropriations Committee adopted amendment J.001 to make technical corrections to the appropriation clause. This amendment was adopted by the Senate on second reading.
- *S.B. 23-241: Creation of Office of School Safety.* The bill creates the Office of School Safety in the Executive Director's Office of the Department of Public Safety.

#### Senate Amendments

- Sponsor amendment L.002 made a technical correction to a section number;
- Sponsor amendment L.007 amended the existing School Security Disbursement Program to allow for disbursement funds to be used to implement a co-responder program;
- Sponsor amendment L.009 amended the duties of the existing School Safety Resource Center to specify that nothing in the relevant subsection permits providing a firearm to a school district or a school;
- L.006 amended the existing School Security Disbursement Program to allow for disbursement funds to be used to implement a school resource officer program; and,
- L.010 amended the appropriation clause to increase the General Fund appropriation to the School Security Disbursement Program from \$6.0 million to \$16.0 million. **This change increases General Fund appropriations for FY 2023-24 by \$10,000,000.**

#### House Amendments

- Sponsor amendment L.012 extended the repeal date for the School Access for Emergency Response (SAFER) grant program from July 1, 2024 to July 1, 2029;
- Sponsor amendment L.013 made a technical change to align Senate amendments and place the program changes adopted through L.006 and L.007 in the same section of the bill;
- L.016 creates the Youth Violence Prevention Grant Program and includes a one-time General Fund appropriation to support the grant program. **This change increases General Fund appropriations for FY 2023-24 by \$1,000,000;** and
- L.019 removes language that states the responsibilities of the new Office include any duties as deemed necessary by the Executive Director of the Department of Public Safety, and instead limits duties to the implementation of the section that creates the Office.

House and Senate Second Reading Amendments to the Long Bill (SB 23-214)											
Amendment Numbers				Department(s)	Description	Fiscal Impact					
Senate Packet	House Drafting	Senate Packet	House Drafting			GF	CF	RF	FF	Total	FTE
<b>Amendments Included in SENATE AND HOUSE Versions of the Long Bill</b>											
1	J032	1	J164	Corrections	Adds a footnote in the Department of Corrections that indicates the General Assembly's intent that the Department use the existing appropriation to pay for any harassment-related settlements.	\$0	\$0	\$0	\$0	\$0	0.0
13a	J059	4	J152	Education	Increases appropriations to the Department of Education by \$14,000,000 General Fund, including \$10,000,000 for the Behavioral Health Care Professional Matching Grant Program and \$4,000,000 for the School Counselor Corps Grant Program.	14,000,000	0	0	0	14,000,000	0.0
17	J056	5	J130	Health Care Policy and Financing	Provides \$111,631 General Fund in the Department of Health Care Policy and Financing for Medical Services Premiums and a footnote explaining that the purpose is to pay 4.0 percent interest on rate increases that have been delayed for providers of durable medical equipment. The appropriation assumes that interest payments will not be eligible for a federal match.	111,631	0	0	0	111,631	0.0
20	J031	7	J123	Human Services	Adds \$1.0 million General Fund to the Tony Grampsas Program in the Department of Human Services.	1,000,000	0	0	0	1,000,000	0.0
42	J060	9	J096	Military and Veterans Affairs	Adds \$11,727 General Fund for Civil Air Patrol Operations in the Department of Military and Veterans Affairs.	11,727	0	0	0	11,727	0.0
36	J005	11	J088	Public Health and Environment	Adds \$500,000 General Fund to the Department of Public Health and Environment for an anti-bullying and social skill development in schools grant program.	500,000	0	0	0	500,000	0.0
38	J003	12	J103	Public Health and Environment	Adds \$75,000 General Fund to the Department of Public Health and Environment for suicide prevention. It also added a footnote expressing the General Assembly's intent that the appropriation be used for mental health first aid training for students.	75,000	0	0	0	75,000	0.0
41	J018	13	J109	Public Health and Environment	Adds \$5.0 million General Fund to the Community Crime Victims Grant Program in the Department of Public Health and Environment.	5,000,000	0	0	0	5,000,000	0.0
42	J048	14	J087	Public Safety	Adds \$30.0 million General Fund to the Colorado Crime Victim Services Fund created in Section 24-33.5-505.5 (2), C.R.S., in the Department of Public Safety.	30,000,000	0	0	0	30,000,000	0.0
44	J011	15	J118	Regulatory Agencies	Adds \$20,000 from the Division of Insurance Cash Fund to the Department of Regulatory Agencies for the Division of Insurance and added a footnote stating the General Assembly's intent that the appropriation be used to conduct an actuarial study of providing doula services as a benefit for private and state supported health insurance plans in the state.	0	20,000	0	0	20,000	0.0
45	J021	16	J136	Transportation	Adds \$1.0 million General Fund to the Colorado Wildlife Safe Passages Fund within the Department of Transportation.	1,000,000	0	0	0	1,000,000	0.0
<b>SUBTOTAL</b>						<b>\$51,698,358</b>	<b>\$20,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$51,718,358</b>	<b>0.0</b>

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Amendment Numbers				Department(s)	Description	Fiscal Impact					
Senate Packet	House Drafting	Senate Packet	House Drafting			GF	CF	RF	FF	Total	FTE
<b>Amendments Included in SENATE Version that were Retained and MODIFIED BY THE HOUSE</b>											
12	J049	2	J150	Education	Restores Senate Amendment 12 (J.049), which added \$356,701 General Fund to the Department of Education for distributions to school districts for projects to replace prohibited American Indian mascots. Also modifies the title of the line item to be "Partial Distributions to School Districts for Projects to Replace Prohibited American Indian Mascots as Required by Section 22-1-133,	\$356,701	\$0	\$0	\$0	\$356,701	0.0
21	J004	8	J086	Human Services	House amendment #8 increases by \$2.0 million total funds, including \$1.0 million General Fund and \$1.0 million federal funds, the appropriation to the Department of Human Services for outreach related to Supplemental Nutrition Assistance Program (SNAP) administration. House amendment #8 also increases by \$1.0 million General Fund the appropriation to the Department of Public Health and Environment for chronic disease and cancer prevention grants. [Senate amendment #21 added funding for both these purposes, but at 50 percent of the amounts added by the House.]	2,000,000	0	0	1,000,000	3,000,000	0.0
<b>SUBTOTAL</b>						<b>\$2,356,701</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,000,000</b>	<b>\$3,356,701</b>	<b>0.0</b>
<b>Amendments ONLY Included in SENATE Version of the Long Bill (Reengrossed)</b>											
6	J006			Early Childhood	Provides \$78,461 General Fund to the Department of Early Childhood for Early Childhood Mental Health Services with a footnote explaining that the purpose of the funding is to provide education, communication, and resources to providers and families related to Fetal Alcohol Syndrome Disorder.	\$78,461	\$0	\$0	\$0	\$78,461	0.0
33	J007			Public Health and Environment	Adds \$200,000 General Fund to the Office of Health Equity in the Department of Public Health and Environment for health disparities grants. Adds a footnote expressing the General Assembly's intent that the appropriation be used for community navigators for sickle cell disease.	200,000	0	0	0	200,000	0.0
35	J001			Public Health and Environment	Adds \$1.0 million General Fund for family planning purchase of services in the Department of Public Health and Environment.	1,000,000	0	0	0	1,000,000	0.0
48	J017			Treasury	Adds \$30,594,501 General Fund to the Department of the Treasury to repay a canceled direct distribution payment to PERA originally scheduled for July 1, 2020.	30,594,501	0	0	0	30,594,501	0.0
<b>SUBTOTAL</b>						<b>\$31,872,962</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$31,872,962</b>	<b>0.0</b>

**House and Senate Second Reading Amendments to the Long Bill (SB 23-214)**

Amendment Numbers		Department(s)	Description	Fiscal Impact						
Senate Packet	House Drafting			GF	CF	RF	FF	Total	FTE	
<b>Amendments ONLY Included in HOUSE Version of the Long Bill (Rerevised)</b>										
n/a	J061	Higher Education	Increases the appropriation to the Healthy Forests and Vibrant Communities Fund at Colorado State University in the Department of Higher Education by \$2,331,458 General Fund in order to correct technical errors in the introduced Long Bill. This amount includes \$2.0 million in one-time funding to support Good Neighbor Authority projects that are implemented by the Colorado State Forest Service in collaboration with federal agencies and \$331,458 General Fund for ongoing funding for the Colorado State Forest Service Wildfire Mitigation Resources and Best Practices Grant Program created in H.B. 22-1007 (Wildfire Mitigation Assistance for Landowners).	\$2,331,458	\$0	\$0	\$0	\$2,331,458	0.0	
37	J092	Health Care Policy and Financing	Adds \$5.0 million General Fund to the Department of Health Care Policy and Financing for payments to Denver Health and Hospital Authority.	5,000,000	0	0	0	5,000,000	0.0	
38	J153	Higher Education	Increases the appropriation to the Department of Higher Education for fee-for-service contracts for specialty education programs by \$2,000,000 General Fund and reappropriates this amount to the Regents of the University of Colorado. Adds a footnote expressing the General Assembly's intent that the additional funds be used for a regional health connector workforce program.	2,000,000	0	2,000,000	0	4,000,000	0.0	
40	J145	Human Services	Adds \$5.0 million General Fund to the Criminal Justice Diversion Programs line item in the Behavioral Health Administration in the Department of Human Services and adds a footnote stating the General Assembly's intent that the increased funding be used to support the expansion of co-responder programs.	5,000,000	0	0	0	5,000,000	0.0	
42	J158	Human Services	Adds \$10,950,000 General Fund to the Purchased Psychiatric Bed Capacity line item in the Office of Behavioral Health in the Department of Human Services. Also adds a footnote stating the General Assembly's intent that the funds be used to contract for 30 additional inpatient psychiatric beds, including ten each in Montrose, Montezuma, and Gunnison counties.	10,950,000	0	0	0	10,950,000	0.0	
46	J100	Judicial	Adds \$850,000 General Fund for the Judicial Department for Courthouse Furnishings and Infrastructure Maintenance.	850,000	0	0	0	850,000	0.0	

**House and Senate Second Reading Amendments to the Long Bill (SB 23-214)**

Amendment Numbers				Department(s)	Description	Fiscal Impact					
Senate Packet	Drafting	House Packet	Drafting			GF	CF	RF	FF	Total	FTE
		53	J142	Local Affairs	Provides \$25,000,000 General Fund to the Department of Local Affairs for Low Income Rental Subsidies and adds a related footnote to specify the General Assembly's intent that the funds be used for emergency rental assistance through the Colorado Emergency Rental Assistance Program (ERAP) and that the Department resume accepting new applications for the program.	25,000,000	0	0	0	25,000,000	0.0
		56	J154	Military and Veterans Affairs	Adds \$200,000 General Fund for the Department of Military and Veterans Affairs and adds a footnote stating the General Assembly's intent that the additional funding is for TransUnion Risk and Alternative Data Solutions.	200,000	0	0	0	200,000	0.0
		57	J163	Military and Veterans Affairs	Adds \$1,000,000 General Fund for the Department of Military and Veterans Affairs and adds a footnote stating the General Assembly's intent that the additional funding is for the Veterans Community Project.	1,000,000	0	0	0	1,000,000	0.0
		58	J104	Military and Veterans Affairs	Increases the appropriation to the Veterans Assistance Grant Program in the Department of Military and Veterans Affairs by \$500,000 General Fund.	500,000	0	0	0	500,000	0.0
		60	J116	Natural Resources	Provides \$100,000 General Fund to the Wildfire Capacity Mitigation Development Fund in the Department of Natural Resources and adds a footnote specifying that those funds be used for wildfire mitigation projects in Larimer County.	100,000	0	0	0	100,000	0.0
		73	J082	Health Care Policy and Financing	Adds \$1.0 million General Fund to the Department of Health Care Policy and Financing for the Rural Provider Access and Affordability Stimulus Grant Program	1,000,000	0	0	0	1,000,000	0.0
<b>SUBTOTAL</b>						<b>\$53,931,458</b>	<b>\$0</b>	<b>\$2,000,000</b>	<b>\$0</b>	<b>\$55,931,458</b>	<b>0.0</b>
<b>TOTAL</b>						<b>\$139,859,479</b>	<b>\$20,000</b>	<b>\$2,000,000</b>	<b>\$1,000,000</b>	<b>\$142,879,479</b>	<b>0.0</b>