

**JBC Staff Fiscal Analysis**  
**Senate Appropriations Committee**

Concerning optional fees during motor vehicle registration that primarily support wildlife projects, and, in connection therewith, using the proceeds of a newly created optional fee to construct wildlife crossings and other transportation improvements.

**Prime Sponsors:**

Senator Roberts; Simpson  
Representative McCluskie; Taggart

**Date Prepared:**

April 8, 2026

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**Fiscal Impacts**

Appropriation Required, Amendment in Packet  
New Cash Fund (with Continuous Appropriation)

**Fiscal Note Status**

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/08/2026.

**Update:** Fiscal impact has changed due to new information or technical issues.

The revised fiscal note identifies \$19,940 for the Department of Transportation for legal services (Table 3A). This amount is paid from the Collision Prevention Cash fund, which is continuously appropriated to the Bridge and Tunnel Enterprise in the Department. The Department of Law requires an appropriation of \$19,940 reappropriated funds to provide the legal services. Legislative Council Staff and JBC staff agree on this technical update.

**Amendments in This Packet**

J.001            Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill requires but does not contain an appropriation clause.

**Description of Amendments in This Packet**

**J.001**

Staff amendment **J.001** (attached) appropriates a total of \$54,294 cash funds for FY 2026-27, as follows:

- \$53,516 to the Department of Revenue, from the DRIVES Cash Fund;
- \$778 to the Department of Natural Resources from the Parks and Outdoor Recreation Cash Fund, which is reappropriated to the Department of Revenue.

Further, the amendment appropriates \$19,940 reappropriated funds to the Department of Law for the provision of legal services. This reflects 0.1 FTE.

## Points to Consider

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### Legislative Appropriation Authority

Continuous spending authority, also known as **continuous appropriation**, allows state agencies to spend money for statutorily specified purposes up to the total amount available in a specified fund source without seeking further legislative approval through the budget process.

The term *appropriation* is broadly understood as expressing or conveying legal spending authority. However, the term *appropriation* also inherently expresses fundamental legislative fiscal authority by communicating a *limit* on or maximum amount of spending from a specified fund source for a defined period such as a fiscal year. While continuous spending authority also expresses or conveys legal spending authority it does so by eliminating legislative fiscal authority and oversight.

An annual appropriation provides a limit on spending authority, while a continuous appropriation provides unlimited spending authority. This method of funding moves these expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process.

Is it necessary for the Department of Transportation to **not** seek annual authority from the General Assembly to spend money from the newly created Collision Prevention Fund and for the Division of Natural Resources to **not** seek annual authority from the General Assembly to spend collision prevention fee revenue from the Wildlife Cash Fund?