

JBC Staff Fiscal Analysis

Senate Appropriations Committee

Concerning the classification of certain state revenue for the purposes of calculating state fiscal year spending pursuant to section 20 of article X of the state constitution, and, in connection therewith, clarifying the statutory definitions of collections for another government and damage awards.

Prime Sponsors:

Senator Weissman; Amabile
Representative Zokaie; Sirota

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Fiscal Impacts

Appropriation Not Required, Amendment in Packet

TABOR Impact

Fiscal Note Status

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/25/2026.

No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill.

Amendments in This Packet

L.004/J.001 Bill sponsor amendment – changes fiscal impact and appropriation

Current Appropriations Clause in Bill

The bill neither requires nor contains an appropriation clause.

Description of Amendments in This Packet

L.004 and J.001

Bill sponsor amendment **L.004** (attached) reclassifies revenue from criminal history record checks that is passed on to the FBI as exempt from TABOR. This results in an additional estimated \$2.0 million in revenue per year being reclassified as exempt from TABOR, which is projected to reduce TABOR refunds in FY 2026-27 by \$2.0 million and in FY 2027-28 by \$2.0 million. The amendment increases general fund expenditures by \$2.25 million per year starting in FY 2025-26 for the Judicial Department to administer the crime victim compensation fund.

These expenditures require an appropriation. Legislative Council Staff and JBC Staff agree on the fiscal impact of the amendment.

Bill sponsor amendment **J.001** (attached) appropriates \$2.25 million General Fund for FY 2025-26 and \$2.25 million General Fund for FY 2026-27 to the Judicial Department for Victims’ Compensation Administration.

If the Committee adopts **L.004**, it should also adopt **J.001**.

Points to Consider

The Joint Budget Committee (JBC) has proposed a budget package for FY 2026-27 based on the March 2026 Office of State Planning and Budgeting (OSP) revenue forecast. The forecast does not anticipate a TABOR surplus liability for FY 2025-26, but does anticipate a surplus liability of \$711.1 million for FY 2026-27 to be refunded to taxpayers out of the General Fund. Legislation that reduces non-exempt revenue (such as cash funds) will reduce the TABOR refund from the General Fund.

TABOR/ Excess State Revenues Impact

This bill reduces the TABOR refund paid from the General Fund by an estimated \$61.5 million for FY 2026-27, increasing the \$57.3 million General Fund set aside for FY 2026-27 by the same amount. The bill is projected to reduce the TABOR refund paid from the General Fund by an estimated \$62.4 million for FY 2027-28, increasing the amount of General Fund in FY 2027-28 by the same amount.

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2026-27 based on the March 2026 Office of State Planning and Budgeting (OSP) revenue forecast. The budget package includes \$57.3 million in set-asides for legislation outside of the package (see table below). The budget package accounts for the 13.0 percent reserve associated with the placeholders.

General Fund Appropriation Placeholders for Other 2026 Legislation

Item	FY 2026-27
SB 26-149 (Pathways for Individuals with Mental Health Disorders)	\$23,222,868
Competency services	20,000,000
Potential prison capacity supplemental	5,900,000
Applied Behavioral Analysis Licensing	5,000,000
County Administration shared services	3,100,000
Medicaid Working Group	500,000
HB 26-1331 (Modify 2026 Interim Committees)	-396,469
Total - Placeholders for other legislation	\$57,326,399

Under the current version of the bill, there is no General Fund impact. If the Committee adopts sponsor amendments **L.004/J.001**, this bill requires a General Fund appropriation of \$2,250,000 for FY 2025-26 and an appropriation of \$2,250,000 for FY 2026-27, reducing the \$57.3 million set aside by \$4.5 million.