

JBC Staff Fiscal Analysis House 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 and making an appropriation.

Prime Sponsors:

Senator Roberts; Simpson
Representative McCluskie; Taggart

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Fiscal Impacts

Appropriation Already Added to Bill, No Amendment in Packet

New Cash Fund (with Continuous Appropriation)

Fiscal Note Status

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

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

Amendments in This Packet

None.

Current Appropriations Clause in Bill

The bill includes an appropriation clause that provides a total of \$54,294 cash funds for FY 2026-27, as follows:

- \$53,516 from the DRIVES Cash Fund to the Department of Revenue; and
- \$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 bill appropriates \$19,940 reappropriated funds to the Department of Law for the provision of legal services. This reflects 0.1 FTE.

Points to Consider

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?