

JBC Staff Fiscal Analysis
House Appropriations Committee

Concerning worker safety protections.

Prime Sponsors:

Representatives Rutinel; Velasco
(None)

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JBC Analyst:

Phoebe Canagarajah
303-866-2149

Fiscal Impacts

Appropriation Not Required, Amendments in Packet

General Fund Impact

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 04/14/26.

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

Amendments in This Packet

L.009/L.010/L.012 Bill Sponsor amendments – does not change fiscal impact

Current Appropriations Clause in Bill

The bill neither requires nor contains an appropriation clause for FY 2026-27.

Description of Amendments in This Packet

L.009

Bill Sponsor amendment **L.009** (attached) moves rulemaking authority for state workplace safety standards from the Department of Labor and Employment (CDLE) to the Attorney General. This moves the conditional fiscal impact for rulemaking staff from CDLE to the Attorney General. Legislative Council Staff and JBC Staff agree that the fiscal impact of rulemaking remains the same.

L.010

Bill Sponsor amendment **L.010** (attached) moves enforcement authority of state workplace safety standards from CDLE to the Attorney General, and moves the administration and usage of a new cash fund from CDLE to

the Attorney General. This moves the conditional fiscal impact for enforcement staff from CDLE to the Attorney General. Legislative Council Staff and JBC Staff agree that the fiscal impact of enforcement remains the same.

L.012

Bill Sponsor amendment **L.012** (attached) expands the enforcement authority of the worker and employee protection unit in the Attorney General’s office. Legislative Council Staff and JBC Staff agree this does not change the bill’s fiscal impact.

If the Committee adopts L.009, it should also adopt L.010 and L.012.

Points to Consider

Future General Fund Impact

Although this bill would not require a General Fund appropriation for FY 2026-27, it is projected to require General Fund appropriations of \$808,617 in the first state fiscal year and \$1,060,689 in the second state fiscal year after the federal government would repeal the federal Occupational Safety and Health Act.

Legislative 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 Labor and Employment to **not** seek annual authority from the General Assembly to spend money from Workplace Health and Safety Fund?

Bill sponsor amendment L.010 moves this fund from CDLE to the Attorney General.