

JBC Staff Fiscal Analysis
House Appropriations Committee

Concerning the redistribution of the lottery fund, and, in connection therewith, redistributing funds for the outdoor equity fund and the public school capital construction assistance fund.

Prime Sponsors:

Representatives Taggart; Joseph
Senators Bridges; Kirkmeyer

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Fiscal Impacts

Appropriation Not Required, Amendment in Packet

Fiscal Note Status

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/08/2025.

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

Amendments in This Packet

L.002 Bill Sponsor amendment - does not change fiscal impact.

Current Appropriations Clause in Bill

The bill neither requires nor contains an appropriation clause.

Description of Amendments in This Packet

L.002

Bill Sponsor amendment L.002 (attached) makes technical adjustments to the bill and changes the distribution of Lottery proceeds above the GoCo cap. Additionally, **the amendment** creates the continuously appropriated Strategic Outdoor Recreation Management and Infrastructure Fund.

Points to Consider

None.

Legislative Appropriation Authority If Amendment L.002 is adopted

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 Treasury to **not** seek annual authority from the General Assembly to spend money from the Strategic Outdoor Recreation Management and Infrastructure Fund?