

Joint Budget Committee



Supplemental Budget Requests FY 2024-25

Department of Law

JBC Working Document - Subject to Change
Staff Recommendation Does Not Represent Committee Decision

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Overview of Department

The Attorney General is one of five independently elected constitutional officers of the State. As the chief executive officer of the Department of Law, the Attorney General represents and defends the legal interests of the people of the State of Colorado and serves as the legal counsel and advisor to state agencies.

Summary of Staff Recommendations

Department of Law: Recommended Changes for FY 2024-25						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
FY 2024-25 Appropriation						
HB 24-1430 (Long Bill)	\$146,206,541	\$26,831,326	\$25,134,947	\$90,406,059	\$3,834,209	650.4
Other legislation	1,150,245	12,532	\$0	1,137,713	0	5.1
Current FY 2024-25 Appropriation	\$147,356,786	\$26,843,858	\$25,134,947	\$91,543,772	\$3,834,209	655.5
Recommended Changes						
Current FY 2024-25 Appropriation	\$147,356,786	26,843,858	\$25,134,947	\$91,543,772	\$3,834,209	655.5
S1 OCE and CPACR tech. corrections	0	0	0	0	0	0.0
NP1 HCPF S1 Lit. avoidance savings	-1,256,400	0	0	-1,256,400	0	0.0
Statewide common policy supplemental requests	16,776	4,699	2,215	9,241	621	0.0
Recommended FY 2024-25 Appropriation	\$146,117,162	\$26,848,557	\$25,137,162	\$90,296,613	\$3,834,830	655.5
Recommended Increase/-Decrease from 2024-25						
Percentage Change	-0.8%	0.0%	0.0%	-1.4%	0.0%	0.0%
FY 2024-25 Executive Request						
Staff Rec. Above/-Below Request	\$147,356,786	\$26,843,858	\$25,134,947	\$91,543,772	\$3,834,209	655.5

FY 2024-25 Description of Incremental Changes

S1 Office of Community Engagement (OCE) and Consumer Protection, Antitrust, and Civil Rights (CPACR) technical corrections: The request includes a technical change to correct the source of funds for the Office of Community Engagement and the name of the Consumer Protection, Antitrust, and Civil Rights division. The recommendation is to approve the Department's request.

NP1 HCPF S1 Litigation avoidance savings: The request includes a reduction of \$1,256,400 reappropriated funds from the Department of Health Care Policy and Financing due to anticipated litigation concluding in a settlement agreement. The recommendation is pending a decision the Committee will make in the Department of Health Care Policy and Financing.

Statewide common policy supplemental requests: The request includes an increase of \$16776 total funds, including \$4,699 General Fund, for non-prioritized requests associated with statewide common policy requests. The increase is associated with adjustments to the Department’s payments for vehicle leases, state property risk management, and to the Office of Information technology (OIT), which are determined through common policies. The prioritized versions of these requests will be presented during the supplemental presentations for the Department of Personnel (vehicle and state property) and Office of the Governor (OIT). The recommendation is pending Committee action on common policy supplementals.

Prioritized Supplemental Requests

S1 Office of Community Engagement and Consumer Protection, Antitrust, and Civil Rights Technical corrections

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	\$0	\$0	\$0	\$0	\$0	0.0
Recommendation	0	0	0	0	0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of a technical error in calculating the original appropriation.

Request

The Department requests a technical correction to the FY 2024-25 Long Bill with two components. First, an Long Bill amount that incorrectly identifies the Safe2Tell cash fund as the source of the cash fund appropriation of \$465,317 in FY 2024-25 should identify Department of Law custodial funds as the source of its cash fund funding. This error was a result of a minor Departmental reorganization. The second component of the technical corrections is that the Joint Budget Committee also approved renaming the Consumer Protection and Antitrust division to the Consumer Protection, Antitrust, and Civil Rights division, however, that change did not make it into the Long Bill, the Department requests this be corrected for the supplemental and ongoing.

Recommendation

Staff recommends that the Committee approve the Department’s request.

Analysis

Historically, the Office of Community Engagement (OCE) line item was appropriated \$15,000 annually from the Safe2Tell (S2T) Cash Fund to cover printing and mailing costs associated with S2T materials as delineated in Section 24-31-610 (1)(a), C.R.S. However, adoption of S.B. 16-193 (“Duties of the Safe2Tell Program”) required the program to provide all education materials to preschool, elementary, and secondary schools as well as Boys & Girls and 4-H extension offices at no cost. As such, the S2T program could no longer generate any revenue to Non-Prioritized Supplemental Requests remit to the program’s cash fund. Thus, the fund has become obsolete.

The DOL has sought sponsors for legislation to eliminate the Safe2Tell Cash Fund, but this effort has so far been unsuccessful. Thus, when more cash funds were added to the OCE line item during the Departmental reorganization approved last year, they were incorrectly identified from coming from the Safe2Tell Cash Fund and the error was overlooked by JBC Staff and Departmental staff during the final review process before introduction of the Long Bill.

The reorganization approved in 2024 also included updating the name of one of the Department sections from Consumer Protection and Antitrust to Consumer Protection, Antitrust, and Civil Rights. While recommended and approved to change, this decision also did not get implemented in the Long Bill. JBC Staff intends to recommend continuing this change in the 2025 Long Bill and thus correcting it in the supplemental bill is a logical decision.

JBC Staff agrees with the Department that approving this technical request will correct the errors that were overlooked during proofing the 2024 Long Bill and thus recommends approving the Department request.

NP1 HCPF S1 Litigation avoidance savings

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Request	-\$1,256,400	0	0	-\$1,256,400	0	0.0
Recommendation	-\$1,256,400	0	0	-\$1,256,400	0	0.0
Staff Recommendation Higher/-Lower than Request	\$0	\$0	\$0	\$0	\$0	0.0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES
 [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

Explanation: JBC staff and the Department agree that this request is the result of data not available when the original appropriation was made, specifically that a settlement concluded a case expected for litigation.

Request

The Department requests a reduction of \$1.3 million reappropriated funds originating is the Department of Health Care Policy and Financing that was appropriated to account for anticipated litigation costs. The appropriation was made to the Legal Services for State Agencies section of the Department’s budget. Since the appropriation was made, the parties to the lawsuit have come to a settlement and thus funding the litigation costs are no longer necessary.

Recommendation

This decision will be made during the presentation for the Department of Health Care Policy and Financing JBC staff presentation. JBC Staff requests permission to reflect the Committee's future decision in the Department of Law's supplemental bill. A motion from the Committee to approve staff recommendation for this item will allow staff to incorporate that future decision.

Statewide Common Policy Supplementals

These requests are not prioritized and are not analyzed in this packet. The JBC will act on these items later when it makes decisions regarding common policies.

Department's Portion of Statewide Supplemental Requests						
Supplemental	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
SNP OIT Real time billing	\$12,073	\$3,246	\$1,550	\$6,887	\$390	0.0
SNP Risk management	3,182	828	419	1,829	106	0.0
DPA Annual fleet supplemental	1,521	625	246	525	125	0.0
Total	\$16,776	\$4,699	\$2,215	\$9,241	\$621	0.0

The staff recommendation for these requests is pending Committee action on common policy supplementals. Staff asks permission to include the corresponding appropriations in the Department's supplemental bill when the Committee acts on common policy supplementals. If staff believes there is reason to deviate from the common policy, staff will appear before the Committee at a later date to present the relevant analysis.

JBC Staff Supplemental Recommendations - FY 2024-25
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Appendix A: Numbers Pages

	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
Department of Law					
Phil Weiser, Attorney General					
S1 OCE Letternote correction					
(1) Administration					
Office of Community Engagement	<u>1,009,080</u>	<u>1,539,147</u>	<u>0</u>	<u>0</u>	<u>1,539,147</u>
FTE	8.8	14.0	0.0	0.0	14.0
General Fund	994,080	1,058,830	0	0	1,058,830
Cash Funds	15,000	480,317	0	0	480,317
Reappropriated Funds	0	0	0	0	0
(5) Consumer Protection, Antitrust, and Civil Rights					
Consumer Protection, Antitrust, and Civil Rights	<u>5,728,974</u>	<u>6,661,522</u>	<u>0</u>	<u>0</u>	<u>6,661,522</u>
FTE	41.8	44.6	0.0	0.0	44.6
General Fund	2,728,990	3,026,116	0	0	3,026,116
Cash Funds	2,832,352	3,452,360	0	0	3,452,360
Reappropriated Funds	167,632	183,046	0	0	183,046
Federal Funds	0	0	0	0	0
Total for S1 OCE Letternote correction	6,738,054	8,200,669	0	0	8,200,669
FTE	50.6	58.6	0.0	0.0	58.6
General Fund	3,723,070	4,084,946	0	0	4,084,946
Cash Funds	2,847,352	3,932,677	0	0	3,932,677
Reappropriated Funds	167,632	183,046	0	0	183,046
Federal Funds	0	0	0	0	0

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	FY 2023-24 Actual	FY 2024-25 Appropriation	FY 2024-25 Requested Change	FY 2024-25 Rec'd Change	FY 2024-25 Total w/Rec'd Change
Totals Excluding Pending Items					
LAW					
TOTALS for ALL Departmental line items	134,115,239	147,356,786	0	0	147,356,786
<i>FTE</i>	<u>630.3</u>	<u>655.5</u>	<u>0.0</u>	<u>0.0</u>	<u>655.5</u>
General Fund	24,461,846	26,843,858	0	0	26,843,858
Cash Funds	23,707,954	25,134,947	0	0	25,134,947
Reappropriated Funds	82,151,267	91,543,772	0	0	91,543,772
Federal Funds	3,794,172	3,834,209	0	0	3,834,209