

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING MEASURES FOR ENHANCED ENFORCEMENT AGAINST ACTS OF CHARITABLE FRAUD.

Prime Sponsors: Reps. Lawrence and McCann
Senator Crowder

JBC Analyst: Carly Jacobs
Phone: 303-866-2061
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Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 02/02/16.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The House Judiciary Committee Report (02/18/16) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

Please note, however, that the bill summary in the Fiscal Note is now out-of-date. The amendments to the bill make the following changes: (1) if an applicant serves on the board of directors or directs the operations of a charitable organization for which he or she is soliciting contributions, the applicant must now attest that the relationship meets legal standards regarding conflict of interest transactions; and (2)"significant membership" is now defined as 10 percent or 100 members, whichever is less.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$18,952 cash funds from the Department of State Cash Fund to the Department of State for FY 2016-17.

Points to Consider*TABOR/Excess State Revenues Impact*

With the exception of a small amount of federal funding, the Department of State is entirely supported by cash funds revenue from fees for business filings and other licensing and registration programs. Pursuant to Section 24-21-104, C.R.S., the Department is authorized to adjust fees so revenue approximates the Department's direct and indirect costs. This individual bill may not necessitate a fee increase on its own, but it would contribute to overall expenditures from the Department of State Cash Fund. If the Department of State needed to implement a fee increase to ensure there was sufficient revenue to support all required expenditures, this bill would contribute to that increase and thus to anticipated refunds under TABOR, reducing the amount of General Fund available for other purposes.