

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING AN OFFICE OF PUBLIC GUARDIANSHIP.

Prime Sponsors: Representative Young
Senator Lundberg

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

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/01/17.

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| 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 |

Amendments in This Packet for Consideration by Appropriations Committee

| Amendment | Description |
|------------------|--|
| L.006 | Bill Sponsor amendment - does not change fiscal impact |

Current Appropriations Clause in Bill

The bill neither requires nor contains an appropriation clause for FY 2017-18.

Description of Amendments in This Packet

L.006 Bill Sponsor amendment **L.006** (attached) is a technical amendment that corrects an omission in the Judiciary Committee Report. Specifically, the amendment ensures that the headnote of a statutory provision that is added through the Report is consistent with the language in the provision. This amendment does not affect the fiscal impact of the bill.

Points to Consider

Revenue Source

The bill, as amended by the Judiciary Committee, makes the Public Guardianship Commission's appointment of a Director of the Office of Public Guardianship and the operation of the Office contingent on the receipt of at least \$1,700,000 in gifts, grants, or donations. These receipts would be credited to the newly created Office of Public Guardianship Cash Fund. This Fund would also consist of "any other money appropriated to the fund by the general assembly". The \$1.7 million is anticipated to cover expenses for the first full year of Office operations. Does the General Assembly

intend to appropriate General Fund to support the pilot program in FY 2019-20 and FY 2020-21 if no additional donations are received?

Timing Issue

The Legislative Council Staff Revised Fiscal Note (attached) assumes that the Director of the Office of Public Guardianship will be hired as of July 1, 2018, and the remaining staff will begin work October 1, 2018. The related expenses would be covered by an appropriation from the Office of Public Guardianship Cash Fund to the Judicial Department for FY 2018-19, and this appropriation would likely be included in the 2018 Long Bill. Based on the required time frames in the bill (added through the Judiciary Committee Report), this would mean that the total amount of gifts, grants, and donations that are received for the pilot program will reach \$1.7 million during the month of June 2018. However, if gifts, grants, and donations total at least \$1.7 million at some point earlier in FY 2017-18, the Department would require an appropriation from the Office of Public Guardianship Cash Fund for some portion of FY 2017-18.

Technical Issue/ Clarification

The Legislative Council Staff Revised Fiscal Note reflects a General Fund impact of \$107,176 starting in FY 2018-19 for additional appointments of guardians ad litem, court visitors, and legal counsel. However, as indicated on page four of the Fiscal Note, it is assumed that these expenses would be covered by the Office of Public Guardianship Cash Fund (i.e., part of the \$1.7 million in donations for the first fiscal year).