

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE CREATION OF A GRANT PROGRAM TO REIMBURSE LOCAL GOVERNMENTS FOR COSTS ASSOCIATED WITH THE PROVISION OF DEFENSE COUNSEL TO CERTAIN DEFENDANTS AT THEIR FIRST APPEARANCES IN MUNICIPAL COURTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Lontine and Carver
Senator Marble

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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 04/20/18.

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

On Second Reading (04/26/18), the House adopted the Appropriations Committee Report and a floor amendment. The House Appropriations Committee Report inserted a provision that appropriates \$1,853,037 General Fund, rather than the \$2,000,000 that was included in both the Governor's and JBC's proposed budgets.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.005 and J.006	Staff-prepared appropriation amendments

Current Appropriations Clause in Bill

The bill includes a provision that appropriates \$1,853,037 General Fund to the Department of Local Affairs (DOLA) for FY 2018-19, and states that the appropriation is based on the assumption that the Department will require an additional 0.5 FTE. This provision: (1) provides less than the \$2,000,000 that was included in both the Governor's and JBC's proposed budgets; and (2) does not provide corresponding spending authority for the Governor's Office of Information Technology and the Department of Law to provide services for DOLA.

Description of Amendments in This Packet

J.005 Staff has prepared amendment **J.005** (attached) to replace the existing appropriation clause with a provision that appropriates a total of \$2,000,000 General Fund to the Department of Local Affairs for FY 2018-19. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.5 FTE. Amendment J.005 corrects omissions in the existing appropriation clause to appropriate \$4,480 reappropriated funds to the Governor's Office of Information Technology and \$1,598 reappropriated funds to the Department of Law.

J.006 Staff has prepared amendment **J.006** (attached) as an alternative for the Committee's consideration. This appropriation is the same as J.005, except that it provides a total appropriation of \$1,853,037 General Fund (as passed by the House) rather than \$2,000,000 General Fund.

The Committee should adopt J.005 or J.006, but not both.

Points to Consider*General Fund Impact*

The Joint Budget Committee (JBC) has proposed a budget package for FY 2018-19 based on the March 2018 Office of State Planning and Budgeting revenue forecast. The JBC has included as part of its FY 2018-19 budget package a \$2,000,000 General Fund appropriation for FY 2018-19 for implementation of this bill. [Please note page 2 of the attached Fiscal Note indicates that \$2,000,000 General Fund "was set aside in the FY 2018-19 long bill" for municipal reimbursements for legal representation expenses. This amount is not appropriated in the Long Bill, rather, it was simply identified as part of the overall JBC budget proposal for FY 2018-19.]