

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING CHANGING THE PENALTY FOR CERTAIN VIOLATIONS PURSUANT TO THE "UNIFORM CONTROLLED SUBSTANCES ACT OF 2013", AND IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Prime Sponsors: Reps. Herod and Sandridge  
Sens. Marble and Lee

JBC Analyst: Vance Roper  
Phone: 303-866-3147  
Date Prepared: April 26, 2019

**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 04/17/19.

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

The Senate Judiciary Committee Report (04/22/19) made changes to the bill that increases work at the local level, but does not cause any additional state expenditures. The Senate Finance Committee Report (04/26/19) removes the grant programs, removes the cash fund appropriations in future fiscal years, and adds a General Fund appropriation of \$1.8 million per year starting in FY 2020-21. Legislative Council Staff agrees with this update.

**Amendments in This Packet for Consideration by Appropriations Committee**

<b>Amendment</b>	<b>Description</b>
J.003	Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill includes an appropriation clause that adds a provision appropriating \$350,000 General Fund to the Judicial Department in FY 2019-20 for the County Court Drug Court Grant Program. This provision also reduces by \$297,370 General Fund appropriations to the Judicial Department in FY 2019-20 for trial court programs, and states that this reduction is based on the assumption that the Department will require a reduction of 3.2 FTE.

**Description of Amendments in This Packet**

**J.003** Staff has prepared amendment **J.003** (attached) adjusts the reduction in the Judicial

## HB19-1263

## JBC Staff Analysis

Department from \$297,370 General Fund to a reduction of \$48,730 General Fund, removes the funding for the grant program, and appropriates \$123,139 to the Judicial Department for probation programs. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.8 FTE.

### Points to Consider

#### *General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2019-20 based on the March 2019 Legislative Council Staff revenue forecast. The budget package leaves approximately \$47.9 million General Fund unallocated. Thus, the General Assembly could appropriate up to \$44.7 million General Fund to fund 2019 legislation and maintain a 7.25 percent General Fund reserve. This bill requires a General Fund appropriation of \$74,409 for FY 2019-20, reducing the excess General Fund reserve by \$79,804. Additionally, the bill is projected to require General Fund appropriations of \$1.8 million each year starting in FY 2020-21.