HB19-1309

JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE

CONCERNING THE REGULATION OF MOBILE HOME PARKS, AND, IN CONNECTION THEREWITH,
GRANTING COUNTIES THE POWER TO ENACT ORDINANCES FOR MOBILE HOME PARKS, EXTENDING THE
TIME TO MOVE OR SELL A MOBILE HOME AFTER EVICTION PROCEEDINGS, CREATING THE "MOBILE
HOME PARK ACT DISPUTE RESOLUTION AND ENFORCEMENT PROGRAM", AND MAKING AN
APPROPRIATION.

Prime Sponsors: Reps. Hooton and McCluskie
Senator Fenberg

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Phone: 303-866-4959
Date Prepared: April 27, 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 04/26/19.

<table>
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<th>Fiscal Notes</th>
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<td><strong>No Change:</strong> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill</td>
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<td><strong>XXX</strong> Update: Fiscal impact has changed due to new information or technical issues</td>
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<td><strong>Update:</strong> Fiscal impact has changed due to amendment adopted after LCS Fiscal Note was prepared</td>
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<td><strong>Non-Concurrence:</strong> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill</td>
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The attached revised Fiscal Note indicates that the bill requires the following appropriations for FY
2019-20:
- $352,965 cash funds to the Department of Local Affairs (DOLA);
- $22,697 reappropriated funds to the Department of Law; and
- $130,065 reappropriated funds to the Governor's Office of Information Technology (OIT).

However, the newly created Mobile Home Park Act Dispute Resolution and Enforcement Program
Fund that will support DOLA’s costs of administering the new program is continuously appropriated
to DOLA. Thus, DOLA does not require an appropriation in the bill to spend the fee and penalty
revenue that will be collected and credited to this fund. However, the Department of Law and OIT
both require FY 2019-20 appropriations to spend money that is transferred from DOLA. These
appropriations are classified as cash funds, rather than reappropriated funds, as these appropriations
are not being appropriated for a second time.

Amendments in This Packet for Consideration by Appropriations Committee

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<th>Amendment Description</th>
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JBC Staff Fiscal Analysis 1
Current Appropriations Clause in Bill
The bill includes a provision that appropriates a total of $152,138 cash funds for FY 2019-20, including $22,073 to the Department of Law and $130,065 to the OIT. This provision also states that the appropriation to the Department of Law is based on the assumption that the Department will require an additional 0.1 FTE.

Points to Consider

Legislative Authority
Is it necessary to "continuously appropriate" money in the Mobile Home Park Act Dispute Resolution and Enforcement Program Fund [see page 23 of the reengrossed bill, lines 10 and 11]? This method of funding the program essentially moves related expenditures (and the associated FTE) off-budget, and thus expenditures are not reported or accounted for through the budget process.