



Legislative
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FISCAL NOTE

Drafting Number:	LLS 20-1274	Date:	May 26, 2020
Prime Sponsors:	Rep. Ransom Sen. Zenzinger; Rankin	Bill Status:	House Appropriations
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Bill Topic: REPEAL LAW ENFORCEMENT GRANT APPROP ROLL-FORWARD

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

Budget package bill. This bill repeals the Division of Criminal Justice's authority to spend unused appropriations for the Law Enforcement Assistance Grant Program in the following year, which will decrease state expenditures and local government revenue in FY 2020-21, and potentially in future years.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill, which was recommended by the Joint Budget Committee as part of its FY 2020-21 budget balancing package.

Table 1
State Fiscal Impacts Under HB 20-1375

		FY 2020-21	FY 2021-22
Revenue		-	-
Expenditures	Marijuana Tax Cash Fund	up to (\$1.3 million)	-
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

Under current law, any unexpended and unencumbered money appropriated to the Division of Criminal Justice (DCJ) in the Department of Public Safety for the Law Enforcement Assistance Grant Program remains available for expenditure by the DCJ in the next fiscal year without further appropriation. The bill repeals this continuous appropriation.

Background

House Bill 18-1020 created the Law Enforcement Assistance Grant Program to reimburse local governments for revenue lost as a result of civil forfeiture reform under House Bill 17-1313. Seizing agencies can apply for grants for up to the amount of revenue they would have received prior to the passage of that bill. Awarded grant funds are to be used only for purposes permissible under federal equitable sharing guidelines, such as operations and investigations, training and education, equipment and supplies, joint law enforcement and public safety operations, and community-based programs. As of writing, the DCJ has an appropriation of \$992,118 and 1.0 FTE in the Long Bill for this grant program in FY 2020-21.

In FY 2019-20, \$1,487,821 from the Marijuana Tax Cash Fund was appropriated to the DCJ. Under current law, the DCJ has the authority to expend that money in FY 2020-21 without further appropriation. It is estimated that \$1.3 million will remain unspent at the end of FY 2019-20.

State Expenditures

By eliminating the roll-forward spending authority for appropriations to the Law Enforcement Assistance Grant Program, expenditures in the DCJ in the Department of Public Safety will decrease by approximately \$1.3 million in FY 2020-21. This funding will revert to the Marijuana Tax Cash Fund at the end of FY 2019-20. To the extent that the program does not use its full appropriations in future years, expenditures in the following year will also potentially decrease.

Local Government

Local law enforcement agencies, which include county and municipal agencies and district attorneys, will have access to less grant funding in FY 2020-21, and potentially in future years. The exact impact on a particular local government will depend on the number of seizure activities.

Effective Date

The bill takes effect June 30, 2020.

State and Local Government Contacts

Joint Budget Committee

Public Safety