

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING MEASURES TO ADDRESS LAW ENFORCEMENT ACCOUNTABILITY.

Prime Sponsors: Reps. Herod and Gonzales-Gutierrez JBC Analyst: Emily Hansen
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Appropriation Items of Note

Appropriation Required, Amendment in Packet

Significant Cost Increase to the General Fund in Second Year

Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/19/21.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	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

The Judiciary Committee Report (04/21/21) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

Legislative Council Staff identified a technical error in the Fiscal Note. Legislative Council Staff and JBC Staff agree that the bill requires an appropriation of \$907,715 cash funds from the Highway Users Tax Fund for FY 2021-22 (an increase of \$3,155 above the Fiscal Note). Similarly, both agencies agree that the estimate of centrally appropriated amounts associated with the bill (which are not appropriated for FY 2021-22) should increase to \$231,015 (an increase of \$298 above the Fiscal Note).

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$907,175 cash funds from the Highway Users Tax Fund to the Department of Public Safety for FY 2021-22. This provision also states that the appropriation is based on the assumption that the Department will require an additional 7.0 FTE.

The amendment also provides \$582,742 reappropriated funds to the Department of Law for the purchase of legal services, based on the assumption that the Department will require an additional 3.0 FTE.

Points to Consider

Highway Users Tax Fund (HUTF)

Section 43-4-201 (3)(a)(I)(C), C.R.S., limits the annual growth of State Patrol HUTF off-the-top appropriations to not more than 6.0 percent of the appropriation from the previous fiscal year. The FY 2021-22 HUTF off-the-top appropriations limit is \$176,005,378. The proposed FY 2021-22 budget includes an off-the-top appropriation of \$174,512,206. This bill requires an HUTF off-the-top appropriation to the State Patrol of \$907,175 in FY 2021-22, leaving \$585,997 available under the 6.0 percent appropriation limit.

Future Fiscal Impact

Although this bill requires \$2,582,742 from the continuously appropriated Risk Management Fund for FY 2021-22, all costs are shifted to the General Fund and Highway Users Tax Fund beginning in FY 2022-23.

The Legislative Council Staff Fiscal Note anticipates a need for \$1,110,579 General Fund and \$2,407,411 from the Highway Users Tax Fund (not including centrally appropriated amounts) for FY 2022-23, with ongoing costs in subsequent years.