

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING ESTABLISHING A CIVIL CAUSE OF ACTION FOR SEXUAL MISCONDUCT AGAINST A MINOR.

Prime Sponsors: Sens. Danielson and Fields
Reps. Michaelson Jenet and Soper

JBC Analyst: Tom Dermody
Phone: 303-866-4963
Date Prepared: May 5, 2021

Appropriation Items of Note

Appropriation Required, Amendments in Packet

General Fund Impact

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 04/16/21.

	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 Department of Personnel provided updated assumptions regarding the expectations of damage payments. Based on its assumptions, the Department does not expect to make any damage payments in FY 2021-22. Damage payments, estimated at \$2.7 million, are assumed to begin in FY 2022-23 and the Department would request funding through the normal budget process. Consequently, this bill requires an appropriation of \$1.2 million General Fund and 6.8 FTE for processing claims and the purchase of legal services. This appropriation is detailed below. Legislative Council Staff and JBC Staff agree with the Department's assessment.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.026	Bill Sponsor amendment - does not change fiscal impact

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 \$1,198,355 General Fund to the Department of Personnel for FY 2021-22. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.9 FTE. Furthermore, the provision reappropriates \$1,137,838 to the Department of Law for the purchase of legal services, based on the assumption that the Department will require an additional 5.9 FTE.

L.026 Bill Sponsor amendment **L.026** (attached) places limitations on the amount that may be recovered as damage payments. This amendment does not have a fiscal impact.

J.001 should be adopted. **L.026** may be adopted.

Points to Consider*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2021-22 based on the March 2021 Legislative Council Staff revenue forecast. The budget package includes a set aside of \$48.0 million General Fund for bills that require General Fund appropriations for FY 2021-22. This bill requires a General Fund appropriation of \$1,198,355 for FY 2021-22, reducing the \$48.0 million set aside by the same amount.