

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING CREATION OF A JAIL STANDARDS COMMISSION TO STANDARDIZE THE OPERATION OF COLORADO JAILS.

Prime Sponsors: Reps. Amabile and Benavidez  
Sens. Coleman and Cooke

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**Appropriation Items of Note**

**Appropriation Required, Amendment 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 03/31/22.

XXX	<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>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

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

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.006/J.002	Bill Sponsor amendment - changes fiscal impact <i>and</i> appropriation

**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 \$278,671 General Fund to the Department of Public Safety for FY 2022-23. This provision also states that the appropriation is based on the assumption that the Department will require an additional 1.4 FTE.

**L.006 and J.002**

Bill Sponsor amendment **L.006** (attached) creates a legislative oversight committee concerning Colorado jail standards. It also requires Legislative Council and Legislative Legal Services to supply staff to the newly-created committee. Legislative Council Staff and JBC Staff agree that this change would require an additional appropriation of \$96,039 General Fund and 0.9 FTE for FY 2022-23. Amendment **J.002** includes these appropriations, as well as the appropriations to the Department of Public Safety that are also included in amendment J.001.

If the House Appropriations Committee adopts **L.006**, it *should* adopt **J.002** and *should not* **J.001**.

If **L.006** is adopted, the bill should be referred, as amended, to the Legislative Council, rather than to the Committee of the Whole.

**Points to Consider***General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2022-23 based on the March 2022 Legislative Council Staff revenue forecast. The budget package includes two set-asides:

- \$40.0 million General Fund for bills that create ongoing obligations; and
- \$900.0 million General Fund for bills that create one-time obligations in FY 2022-23.

The \$40.0 million *appropriations* set-aside includes an additional \$6.0 million General Fund to provide a 15.0 percent General Fund reserve for those appropriations. The \$900.0 million *obligations* set-aside does not include an additional amount for a General Fund reserve and, assumes, but does not require, that obligations be addressed through statutory transfers rather than appropriations. Therefore *appropriations* from the \$900.0 million set-aside require an additional 15.0 percent to maintain the statutory General Fund reserve.

This bill creates an ongoing obligation and requires a General Fund appropriation of \$278,671 for FY 2022-23, reducing the \$40.0 million set aside by the same amount.