

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE CREATION OF THE COLORADO HOMELESS CONTRIBUTION INCOME TAX CREDIT.

Prime Sponsors: Reps. Tipper and Rich  
Sens. Winter and Simpson

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**Appropriation Items of Note**

**Appropriation Required, Amendment in Packet**

**General Fund/TABOR Impact**

**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 02/03/22.

	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
<b>XXX</b>	<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

The House Finance Committee Report (02/10/22) 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.

The Legislative Council Staff Fiscal Note discusses costs to OIT in FY 2023-24, but includes these costs in the FY 2022-23 total required appropriation. Legislative Council Staff and JBC Staff agree the bill requires an appropriation of \$30,595 for this purpose in FY 2022-23, and an appropriation of that amount of reappropriated funds (not shown in the Legislative Council Staff Fiscal Note) to the Office of Information Technology in the Governor's Office.

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

<b>Amendment</b>	<b>Description</b>
J.001	Staff-prepared appropriation amendment
L.005	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 \$129,613 General Fund to the Department of Local Affairs for FY 2022-23. This provision also states that the appropriation is based on the assumption that the Department of Local Affairs will require an additional 1.2 FTE to implement the act. In addition, the provision appropriates \$30,595 reappropriated funds to the Office of Information Technology in the Governor's Office.

**L.005** Bill Sponsor amendment **L.005** (attached) changes the final year the tax credit is available from tax year 2030 to 2028.

The Committee should adopt amendment **J.001** regardless of whether amendment **L.005** is adopted.

**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 a one-time obligation and requires a General Fund appropriation of \$129,613 for FY 2022-23, reducing the \$900.0 million set aside by \$149,055 in order to maintain a 15.0 percent statutory General Fund reserve.

*TABOR/ Excess State Revenues Impact*

The March 2022 Legislative Council Staff (LCS) revenue forecast projects a TABOR surplus liability of \$1.6 billion for FY 2022-23 and \$622.6 million for FY 2023-24. These sums must be refunded to taxpayers out of the General Fund. This bill is estimated to decrease General Fund revenues by \$2.6 million in FY 2022-23 and by \$6.1 million in FY 2023-24, which will result in a decrease in the TABOR surplus liability of an equal amount.

**HB22-1083**

**JBC Staff Analysis**