CONCERNING A TRANSFER FROM THE GENERAL FUND TO THE DIVISION OF PROFESSIONS AND OCCUPATIONS CASH FUND IN THE 2022-23 STATE FISCAL YEAR TO FACILITATE FEE RELIEF FOR HEALTH-CARE PROVIDERS REGULATED BY THE STATE BOARD OF NURSING.

Prime Sponsors: Representative Mullica
Sens. Jaquez Lewis and Hinrichsen

JBC Analyst: Mitch Burmeister
Phone: 303-866-3147
Date Prepared: April 22, 2022

Appropriation Items of Note

Appropriation Not Required, No 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 03/22/22.

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<tr>
<th>XXX</th>
<th>No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill</th>
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<tbody>
<tr>
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<td>Update: Fiscal impact has changed due to <em>new information or technical issues</em></td>
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<td>Update: Fiscal impact has changed due to <em>amendment adopted</em> after LCS Fiscal Note was prepared</td>
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<td>Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill</td>
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Amendments in This Packet for Consideration by Appropriations Committee

<table>
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<th>Amendment</th>
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Current Appropriations Clause in Bill
The bill neither requires nor contains an appropriation clause for FY 2022-23.

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:
HB22-1298

- $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 includes a General Fund transfer of $11.7 million for FY 2022-23, reducing the $900.0 million set aside by the same amount.

**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 to be refunded to taxpayers out of the General Fund. Legislation that increases non-exempt revenue (such as cash funds) will increase the TABOR refund from the General Fund. The budget package includes a set aside of $40.0 million General Fund for FY 2022-23, plus $6.0 million General Fund to provide a 15.0 percent General Fund reserve for those appropriations.

This bill is estimated to decrease cash fund revenues by $6,809,831 in FY 2022-23, which will increase the available General Fund by an equal amount. This bill reduces the TABOR refund made out of the General Fund by $6,809,831 for FY 2022-23, increasing the $900.0 million General Fund one-time set aside by the same amount.