

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING CREATING THE COLORADO SAFE STUDENT PROTECTION PROGRAM.

Prime Sponsors: Sens. Coram and Zenzinger
Reps. McLachlan and Catlin

JBC Analyst: Amanda Bickel
Phone: 303-866-4960
Date Prepared: May 6, 2022

Appropriation Items of Note

Appropriation Already Added to Bill, 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 05/04/22.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	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 fiscal note does not include expenditures for FY 2021-22, although the appropriation is for FY 2021-22; JBC staff anticipates that there may be a small amount of related FY 2021-22 expenditures.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.002	Staff-prepared appropriation amendment
L.006/J.003	Bill Sponsor amendment - changes fiscal impact <i>and</i> appropriation

Current Appropriations Clause in Bill

The bill includes an appropriation clause that provides an appropriation of \$3,500,000 to the Department of Education for FY 2021-22. The appropriation clause states that money not expended prior to July 1, 2022 is available through FY 2022-23. The bill does not include a related bill title trailer.

Description of Amendments in This Packet

J.002 Staff has prepared amendment **J.002** (attached) to add a bill title trailer to indicate that the

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bill includes an appropriation. This amendment does *not* change the \$3,500,000 General Fund appropriation in the bill.

Joint Budget Committee Staff and Legislative Council Staff assume that the Department of Education will require 1.5 FTE in FY 2022-23 if J.002 is adopted. A related assumption is not included in the appropriation clause because these FTE relate to FY 2022-23, rather than FY 2021-22.

L.006 and J.003

Bill Sponsor amendment **L.006** (attached) strikes the provisions in the bill related to the portion of the bill that required the Department to contract with a program facilitator responsible for supporting school districts that were awarded grants, developing secure digital notification and information tools, recruiting school bus drivers, and conducting a statewide awareness campaign, among other duties. The program facilitator was required to receive 50 percent of the money appropriated.

Bill Sponsor amendment **J.003** (attached) modifies the current appropriation clause to provide an appropriation of \$2,000,000 General Fund in lieu of the \$3,500,000 General Fund currently in the bill. It also adds a bill title trailer to indicate that the bill includes an appropriation.

Joint Budget Committee Staff and Legislative Council Staff assume that the Department of Education will require 1.5 FTE in FY 2022-23 if J.003 is adopted, as eliminating the contracted facilitator will reduce some department administrative costs but increase others. A related FTE assumption is not included in the appropriation clause because these FTE relate to FY 2022-23, rather than FY 2021-22.

The Committee may adopt J.002 or the combination of amendments L.006 and J.003 but should not adopt any other combination of amendments.

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.

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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 \$3,500,000 for FY 2021-22, or \$2,000,000 if sponsor amendments L.006 and J.003 are adopted, reducing the \$40.0 million set aside by the same amount.