

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE INCOME TAX CREDIT FOR A QUALIFYING CONTRIBUTION TO PROMOTE CHILD CARE IN THE STATE, AND, IN CONNECTION THEREWITH, CONTINUING THE CREDIT FOR THREE YEARS, REQUIRING THE DEPARTMENT OF REVENUE TO DEVELOP RECOMMENDATIONS FOR THE EXPANSION OF THE TYPES OF CONTRIBUTIONS THAT QUALIFY FOR THE CREDIT, AND MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Pugliese and Kipp
Sens. Marchman and Rich

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Appropriation Items of Note

Appropriation Already Added to Bill, No Amendment in Packet

General Fund/TABOR 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 04/18/23.

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

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
None.	

Current Appropriations Clause in Bill

The bill includes an appropriation clause appropriating a total of \$78,254 General Fund to the Department of Revenue for FY 2023-24, of which \$10,881 is reappropriated to the Department of Personnel. This provision also states that the appropriation is based on the assumption that the Department of Revenue will require an additional 0.5 FTE.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2023-24 based on the March 2023 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes two set-asides for legislation outside of the package: (1) \$30.0 million General Fund for bills that create ongoing obligations; and (2) \$469.0 million for bills that create one-time obligations for FY 2023-24 (see table below).

General Fund Appropriation Placeholders for Other 2023 Legislation	
Description	FY 2023-24
Legislation with Ongoing Fiscal Impacts	\$30,000,000
Legislation with One-time Fiscal Impacts	
Workforce-related legislation, including free credentials, math scholarships, adult education, and concurrent enrollment	103,000,000
Housing-related legislation, including property tax relief, land use, and public-private partnerships	221,000,000
Legislation related to topics other than workforce and housing, including rural opportunity, line of duty loss, and Proposition 122 implementation	145,000,000
Subtotal	\$469,000,000
TOTAL Placeholders for Other 2023 Legislation	\$499,000,000

The budget package accounts for the 15.0 percent reserve associated with the above placeholders (a total of \$74.9 million).

This bill creates an ongoing obligation and requires a General Fund appropriation of \$78,254 for FY 2023-24, reducing the \$30.0 million set aside by the same amount.

TABOR/ Excess State Revenues Impact

The March 2023 Office of State Planning and Budgeting (OSPB) revenue forecast projects a TABOR surplus liability of \$720.9 million for FY 2023-24 and \$1.2 billion for FY 2024-25. These sums must be refunded to taxpayers out of the General Fund. Though this bill is not estimated to decrease General Fund revenues in FY 2023-24, it is projected to decrease General Fund revenue by \$18.6 million in FY 2024-25, which will result in a decrease in the TABOR surplus liability of equal amounts.