CONCERNING PROVISIONS RELATING TO THE ADEQUATE TRAINING OF MOTOR VEHICLE DRIVERS, AND, IN CONNECTION THEREWITH, CREATING AN ENTERPRISE TO EDUCATE POTENTIAL DRIVERS AND REIMBURSE THIRD-PARTY PROVIDERS FOR A PORTION OF THE COSTS OF ADMINISTERING DRIVING EXAMINATIONS, CREATING A SYSTEM TO ALLOW THIRD-PARTY PROVIDERS TO VERIFY FINANCIAL RESPONSIBILITY OF APPLICANTS, SETTING LIMITS ON THE FEES THIRD-PARTY PROVIDERS MAY CHARGE, PROVIDING TRANSLATION SERVICES FOR DRIVING EXAMINATIONS, AND IMPOSING A FEE ON INSTRUCTION PERMITS AND DRIVER’S LICENSES.

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Date Prepared: April 10, 2023

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 03/24/23.

Amendments in This Packet for Consideration by Appropriations Committee

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 $4,833,654 cash funds to the Department of Revenue for FY 2023-24 from the ADEPT Enterprise Fund. This provision also states that the appropriation is based on the assumption that the Department will require an additional 1.7 FTE.

### Points to Consider

**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 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 $30.0 million General Fund for ongoing appropriations and $469.0 million General Fund for bills that create one-time obligations in FY 2023-24.

This bill is estimated to decrease cash fund revenues that are subject to TABOR by $206,892 in FY 2023-24 and by $225,700 in FY 2024-25, which will increase the available General Fund in each fiscal year by equal amounts. This bill reduces the TABOR refund made out of the General Fund by $206,892 for FY 2023-24, increasing the $30.0 million General Fund set aside for FY 2023-24 by the same amount.

**Technical Note**

The attached fiscal note indicates that the Department of Revenue cannot meet the bill’s mid-August effective date due to DRIVES programming requirement constraints.