

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING WATER QUALITY IN MOBILE HOME PARKS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Velasco and Boesenecker
Senator Cutter

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Appropriation Items of Note

Appropriation Change Required, 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 05/05/23.

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
J.002	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill includes an appropriation clause that appropriates \$3,611,859 General Fund to the Mobile Home Park Water Quality Fund managed by the Department of Public Health and Environment (CDPHE). Of this amount, \$3,407,448 is reappropriated to CDPHE, with \$38,066 being further reappropriated to the Department of Law. The provision also states that the appropriation is based on the assumption that CDPHE will require an additional 10.8 FTE and the Department of Law will require an additional 0.2 FTE. Lastly the provision appropriates \$128,909 General Fund to the Mobile Home Park Act Dispute Resolution and Enforcement Program Fund managed by the Department of Local Affairs. The Revised Fiscal Note identifies a required appropriation of \$136,885 General Fund for the Department of Local Affairs, an increase of \$7,976 General Fund.

Description of Amendments in This Packet

J.002 Staff has prepared amendment **J.002** (attached) to amend the existing appropriations clause to appropriate \$136,885 General Fund to the Department of Local Affairs.

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 transfer of \$3,748,744 for FY 2023-24, reducing the \$30.0 million set aside by the same amount. The bill requires a General Fund transfer of \$4,828,527 in FY 2024-25 and future years.

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.

HB23-1257**JBC Staff Analysis**

This bill is estimated to increase cash fund revenues by \$100,000 in FY 2023-24 and by \$100,000 in FY 2024-25, which will reduce the available General Fund in each fiscal year by equal amounts. This bill increases the TABOR refund made out of the General Fund by \$100,000 for FY 2023-24, reducing the \$30.0 million General Fund set aside for FY 2023-24 by the same amount.