

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING EXTREME RISK PROTECTION ORDERS.

Prime Sponsors: Sens. Sullivan and Fenberg
Reps. Bacon and Weissman

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Appropriation Items of Note

Appropriation Required, 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 03/15/23.

	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>
XXX	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 House Judiciary Committee Report (03/22/23) includes amendments to the bill, including one that requires the Department of Public Safety to establish a hotline, subject to available resources or within existing resources. JBC Staff and Legislative Council Staff currently estimate a cost of \$238,846 General Fund and 2.8 FTE for FY 2023-24, to implement the hotline.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
J.002	Staff-prepared appropriation amendment

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) that strikes the existing no appropriation clause and adds a provision appropriating \$140,462 General Fund to the Judicial Department for FY 2023-24. This provision also states that the appropriation is based on the assumption that the Department will require an additional 1.1 FTE.

J.002 Staff has prepared amendment **J.002** (attached) that strikes the existing no appropriation clause and adds a provision appropriating a total of \$379,308 General Fund, including \$140,462 to the Judicial Department and \$238,846 to the Department of Public Safety for FY 2023-24. In addition to the appropriations included in amendment J.001, this amendment adds an appropriation to the Department of Public Safety associated with the hotline addressed in the Judiciary Committee Report. This provision also states that the appropriation is based on the assumption that the Judicial Department will require an additional 1.1 FTE and the Department of Public Safety will require an additional 2.8 FTE.

The Committee may adopt either J.001 or J.002, but should not adopt both.

Points to Consider

General Fund Impact

The Joint Budget Committee (JBC) is developing a budget package for FY 2023-24. This bill requires a General Fund appropriation of \$140,462 for FY 2023-24, reducing the General Fund available for other FY 2023-24 appropriations by this amount.

If the Committee also wants to fund the hotline for the Department of Public Safety, the bill is estimated to require a total General Fund appropriation of \$379,308.

Technical Issues

As identified in the State Appropriations section of the Legislative Council Staff Revised Fiscal Note, the bill includes a "no appropriation" provision specifying that the bill can be accomplished within existing appropriations and that no additional appropriation is required. However, the Revised Fiscal Note estimates that an appropriation is required. Therefore, JBC Staff includes an appropriation amendment consistent with the fiscal impact identified in the Revised Fiscal Note.

Additionally, JBC Staff and Legislative Council Staff assume that if the General Assembly wants the Department of Public Safety to establish the hotline, the bill requires an appropriation for that purpose. As specified, without resources for this purpose, the Department is not expected to establish the hotline. JBC Staff includes an appropriation amendment to provide funding for that purpose.