

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING MODIFICATIONS TO LAWS REGARDING ELECTIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Senator Fenberg
Representative Sirota

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Appropriation Items of Note

Appropriation Already Added to Bill, Amendment in Packet

General Fund/TABOR Impact

Significant Cost Increase in Second and Third Year

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 04/24/23.

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

The House State, Civic, Military, & Veterans Affairs Committee Report (04/24/23) and House Finance Committee Report (04/27/23) include amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change 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 \$485,437 cash funds from the Department of State Cash Fund to the Department of State for FY 2023-24. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.8 FTE.

However, the Revised Fiscal Note dated 04/24/23, notes the bill requires an appropriation of \$469,201 cash funds from the Department of State Cash Fund for FY 2023-24, based on the assumption the Department will require an additional 0.5 FTE.

Description of Amendments in This Packet

J.002 Staff has prepared amendment **J.002** (attached) to amend the existing appropriation clause to appropriate a total of \$469,201 cash funds from the Department of State Cash Fund to the Department of State for FY 2023-24. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.5 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 increase cash fund revenues by \$3.0 million in FY 2023-24, \$7.7 million in FY 2024-25, and \$6.3 million in FY 2025-26 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 \$3.0 million for FY 2023-24, reducing the \$30.0 million General Fund set aside for FY 2023-24 by the same amount.

Future Fiscal Impact

Although this bill would not require a General Fund appropriation for FY 2023-24, it is projected to require a General Fund appropriation of \$2.5 million in FY 2024-25.