

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING A PROHIBITION AGAINST DISCIPLINING AN EMPLOYEE FOR REFUSING TO PARTICIPATE IN EMPLOYER SPEECH.

Prime Sponsors: Reps. Duran and Hernandez
Senator Danielson

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Date Prepared: April 16, 2024

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 Fiscal Note (attached) reflects the fiscal impact of the bill as of 02/27/24.

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 Business Affairs and Labor Committee Report (03/20/24) includes 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.001	Staff-prepared appropriation amendment
L.016/J.002	Bill Sponsor amendment - changes fiscal impact <i>and</i> appropriation

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 \$248,085 General Fund for FY 2024-25, including \$17,649 to the Department of Labor and Employment and \$230,436 to the Department of Law. This provision also states that the appropriation is based on the assumption that the Department of Labor and Employment will require an additional 0.2 FTE and the Department of Law will require an additional 1.0 FTE.

L.016 and J.002

Bill Sponsor amendment **L.016** (attached) limits the applicability of the bill only to meetings and communications relating to the decision of a state employee to join or support a fraternal or labor organization. The amendment also allows an aggrieved person to seek relief for violations of the bill by filing a complaint with the Colorado Department of Labor and Employment or with the courts. If a complaint is filed, the department must post the complaint publicly, investigate the complaint, or authorize an aggrieved person to proceed with an action in court. This amendment eliminates the need for an appropriation to the Department of Law and increases appropriations necessary to implement the bill to the Department of Labor and Employment to \$278,564 General Fund. Staff has prepared amendment **J.002** (attached) to add a provision appropriating a total of \$278,564 General Fund to the Department of Labor and Employment for FY 2024-25. This provision also states that the appropriation is based on the assumption that the Department will require an additional 2.8 FTE.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2024-25 based on the March 2024 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes \$93.5 million in set-asides for legislation outside of the package (see table below). The budget package accounts for the 15.0 percent reserve associated with the placeholders (a total of \$14.0 million).

General Fund Appropriation Placeholders for Other 2024 Legislation	
Description	FY 2024-25
General Legislative Priorities	\$21,739,130
Legislation for Shared Housing Priorities	42,478,261
Legislation for Shared Workforce and Education Priorities	16,152,110
Legislation for Other Shared Priorities	10,519,130
Legislation for Distributions to Rural Hospitals	2,608,689
TOTAL Placeholders for Other 2024 Legislation	\$93,497,320

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JBC Staff Analysis

As amended by the Business Affairs and Labor Committee Report (03/20/24), this bill requires a General Fund appropriation of \$248,085 for FY 2024-25, reducing the \$93.5 million set aside by the same amount.

If **L.016** is adopted, this bill will require a General Fund appropriation of \$278,564 for FY 2024-25, reducing the \$93.5 million set aside by the same amount.