

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING PERSONS LICENSED TO SELL ALCOHOL BEVERAGES, AND, IN CONNECTION THEREWITH, CONVERTING CERTAIN LIQUOR-LICENSED DRUGSTORE LICENSES TO FERMENTED MALT BEVERAGE AND WINE RETAILER LICENSES, UPDATING THE REQUIREMENTS FOR WHOLESALERS, REMOVING THE CAP ON THE AMOUNT OF ALCOHOL BEVERAGES A RETAILER CAN PURCHASE FROM RETAIL LIQUOR STORES, PROHIBITING A FERMENTED MALT BEVERAGE AND WINE RETAILER FROM DISPLAYING ALCOHOL BEVERAGES IN CERTAIN LOCATIONS ON THE RETAILER'S SALES FLOOR, EXPANDING CERTAIN LICENSEES' ABILITY TO DELIVER ALCOHOL TO CERTAIN OTHER LICENSEES, PROHIBITING A FERMENTED MALT BEVERAGE AND WINE RETAILER FROM SELLING ALCOHOL BEVERAGES WITH GREATER THAN SEVENTEEN PERCENT ALCOHOL BY VOLUME AND MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Amabile and Ricks
Sens. Roberts and Will

JBC Analyst: Jon Catlett
Phone: 303-866-4386
Date Prepared: May 6, 2024

Appropriation Items of Note

Appropriation Already Added to Bill, No Amendment in Packet

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 05/06/24.

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 amendments offered in Senate Finance (05/06/24) make technical adjustments to the bill, but do not change the fiscal impact of the bill as stated in the most recent Revised Fiscal Note (05/06/24). JBC Staff and Legislative Council Staff agree that the committee amendments would not change the fiscal impact of the bill.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
None.	

Current Appropriations Clause in Bill

The bill includes an appropriation clause that appropriates \$190,086 cash funds from the Liquor Enforcement Division Cash Fund to the Department of Revenue for FY 2024-25, of which \$125,460 is reappropriated to the Department of Law. This provision also states that the appropriation is based on the assumption that the Department of Revenue will require an additional 0.6 FTE and the Department of Law will require 0.5 FTE.

Points to Consider

TABOR/ Excess State Revenues Impact

The March 2024 Office of State Planning and Budgeting (OSPB) revenue forecast projects a TABOR surplus liability of \$1.3 billion for FY 2024-25 and \$1.8 billion for FY 2025-26 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 \$63.1 million General Fund for appropriations in FY 2024-25.

This bill is estimated to increase cash fund revenues by \$201,723 in FY 2024-25 and by \$168,491 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 \$201,723 for FY 2024-25, reducing the \$63.1 million General Fund set aside for FY 2024-25 by the same amount.