

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE CREATION OF AN ENTERPRISE THAT IS EXEMPT FROM THE REQUIREMENTS OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION TO ADMINISTER A FEE-BASED WASTE TIRE MANAGEMENT PROGRAM.

Prime Sponsors: Sens. Priola and Hansen
Reps. Mauro and Froelich

JBC Analyst: Andrew McLeer
Phone: 303-866-4959
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Appropriation Items of Note

Appropriation Required, Amendment in Packet

New Cash Fund (with Continuous Appropriation)

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 02/19/24.

	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 Finance Committee Report (02/29/24) shifts the start date for the waste tire enterprise from January 1, 2025 to July 1, 2025. This will shift the date at which the enterprise will begin collecting fees to the beginning of FY 2025-26, limiting expenditures for the bill in FY 2024-25 to legal services for rulemaking, as well as travel reimbursements for the enterprise's board totaling \$60,208.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.005	Bill Sponsor amendment - does not change fiscal impact
L.006	Bill Sponsor amendment - does not change fiscal impact

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 \$60,208 cash funds from the Waste Tire Administration, Enforcement, Market Development, and Cleanup Fund to the Department of Public Health and Environment for FY 2024-25. Of this amount \$51,208 is further appropriated to the Department of Law. This provision also states that the appropriation is based on the assumption that the Department of Law will require an additional 0.2 FTE.

L.005 Bill Sponsor amendment **L.005** (attached) amends statutory references within the bill to clarify the legal basis for the bill's provisions, while also moving the start date for the enterprise's operations to the beginning of FY 2025-26 and maintaining the waste tire fee through the end of FY 2023-24. This will continue the existing fee structure for waste tire management through FY 24-25, yielding no net fiscal change.

L.006 Bill Sponsor amendment **L.006** (attached) permits the enterprise to receive loans from the Department prior to receiving fee revenue, which the enterprise will repay to the Department at a previously agreed upon interest rate once enterprise revenues exceed expenditures. The amendment also eliminates the waste tire fee sunset. This amendment has a net neutral fiscal impact for FY 2024-25.

The Committee should adopt J.001. The Committee may also adopt either or both of L.005 and L.006.

Points to Consider

None.