

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING SUPPORT FOR STATEWIDE REMEDIATION SERVICES THAT POSITIVELY IMPACT THE ENVIRONMENT.

Prime Sponsors: Sens. Fenberg and Cutter
Reps. McCluskie and Velasco

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Appropriation Items of Note

Appropriation Not Required, No Amendment in Packet

TABOR Impact

Five New Continuously-Appropriated Cash Funds

Significant Cost Increase in Second and Third Year

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 05/02/24.

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 reengrossed bill includes amendments adopted by the Senate on second reading (05/03/24). Legislative Council Staff and JBC Staff agree that these amendments do 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 neither requires nor contains an appropriation clause for FY 2024-25.

Points to Consider*TABOR/ Excess State Revenues Impact*

This bill is estimated to increase cash fund revenues by \$68,291 in FY 2025-26, which will reduce the available General Fund by an equal amount.

Future Fiscal Impact

This bill is estimated to increase state expenditures by \$109.7 million from various enterprise cash funds in FY 2025-26 and by \$175.5 million in FY 2026-27.

Legislative Appropriation Authority

Continuous spending authority, also known as **continuous appropriation**, allows state agencies to spend money for statutorily specified purposes up to the total amount available in a specified fund source without seeking further legislative approval through the budget process.

An annual appropriation provides a limit on spending authority, while a continuous appropriation provides unlimited spending authority. This method of funding moves these expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process.

This bill creates five new continuously-appropriated cash funds under three state agencies.

- 1) Is it necessary for the Department of Transportation to **not** seek annual authority from the General Assembly to spend money from the Local Transit Operations Cash Fund, the Local Transit Grant Program Cash Fund, and the Rail Funding Program Cash Fund?
- 2) Is it necessary for the Department of Natural Resources to **not** seek annual authority from the General Assembly to spend money from the Climate Resilient Wildlife and Land Cash Fund?
- 3) Is it necessary for the Department of Revenue to **not** seek annual authority from the General Assembly to spend money from the Oil and Gas Production Fees Collection Fund?