

MEMORANDUM

TO: Joint Budget Committee

FROM: Craig Harper (303-866-3481)

SUBJECT: Staff Comeback - Department of Law Marijuana Tax Cash Fund Reduction

DATE: January 23, 2015

During the supplemental process, the Committee decided to reduce FY 2014-15 appropriations to several programs supported by the Marijuana Tax Cash Fund based on anticipated underutilization of the appropriations in the current year. It has come to staff's attention that the Department of Law does not intend to use an appropriation of \$76,000 from the Marijuana Tax Cash Fund in FY 2014-15 (or subsequent years). The funds were specifically appropriated to support "train the trainer" programs for advanced roadside impaired driving enforcement, and the Department reports that the funding is no longer needed for that purpose.

Staff recommends that the Committee reduce the Department of Law's FY 2014-15 appropriation from the Marijuana Tax Cash Fund by \$76,000 as part of the adjustments to appropriations in S.B. 14-215 (either through an add-on to the Department of Law supplemental or through a separate bill adjusting the appropriations in S.B. 14-215). Staff also expects to recommend eliminating those funds from the FY 2015-16 Long Bill appropriation during the figure setting process.

Background

With the enactment of S.B. 14-215, the General Assembly appropriated a total of \$1,244,000 cash funds from the Marijuana Tax Cash Fund to the Department of Law (specifically to the Police Officers Standards and Training (POST) Board) for FY 2014-15. That amount includes:

- \$1,168,000 of "new" money directly related to S.B. 14-215; and
- \$76,000 that the FY 2014-15 Long Bill had appropriated to the Department of Law from the Marijuana Cash Fund (the precursor to the Marijuana *Tax* Cash Fund); S.B. 14-215 eliminated the Long Bill appropriation from the Marijuana Cash Fund and appropriated that amount from the Marijuana Tax Cash Fund. This amount was originally appropriated in H.B. 13-1317 to support "train the trainer" activities in advanced roadside impaired driving enforcement.

The Department reports that the train the trainer funds are no longer necessary and that it will not spend the \$76,000 in FY 2014-15 or subsequent years.