

**SB22-191**

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE PROCUREMENT OF INFORMATION TECHNOLOGY RESOURCES.

Prime Sponsors: Sens. Bridges and Priola  
Reps. Titone and Bennett

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**Appropriation Items of Note**

**Appropriation Not Required, No Amendment in Packet**

**Significant Cost Increase in Second Year**

**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 04/14/22.

|            |  |
|------------|--|
| <b>XXX</b> | <b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill                 |
|            | <b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>                   |
|            | <b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared  |
|            | <b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill |

The Senate Appropriations Committee Report (04/26/22) includes amendments to the bill, which were adopted by the Senate on second reading (04/26/22), 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 |
|-----------|-------------|
| None.     |             |

**Current Appropriations Clause in Bill**

The bill neither requires nor contains an appropriation clause for FY 2022-23.

**Points to Consider**

*Future Fiscal Impact*

This bill will transfer an estimated \$1.5 million annually that would otherwise revert to the General

Fund in FY 2023-24 and ongoing, reducing the amount of General Fund available for other purposes.

*Legislative Appropriation Authority*

Continuous spending authority, also known as **continuous appropriations**, allows departments to spend money for statutorily specified purposes up to the amount of money in the fund without seeking annual legislative approval. 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. Current law provides spending authority for half of the beginning balance of the Technology Risk Prevention and Response Fund annually, which reserves at least 50 percent of the fund for response to and prevention of unexpected technology risks. Is it necessary for the Office of Information Technology to **not** seek additional authority from the General Assembly to spend money from the Technology Risk Prevention and Response Fund if the amount necessary to implement an emergency response exceeds half of the starting balance of the fund?