

JBC Staff Fiscal Analysis
Senate Appropriations Committee

Concerning measures to address efficiency in the regulation of marijuana licensees, and, in connection therewith, reducing an appropriation.

Prime Sponsors:

Representatives Lindstedt; Willford
Senator Gonzales J.

Date Prepared:

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Fiscal Impacts

Appropriation Already Added to Bill, Amendment in Packet

TABOR Impact

Fiscal Note Status

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/27/25.

No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill.

The Senate Finance Committee Report (04/15/25) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the amendments do not change the fiscal impact of the bill.

Amendments in This Packet

J.002 Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill includes an appropriation clause reducing appropriations by \$25,883 cash funds from the Marijuana Cash Fund to the Department of Revenue and reducing appropriations by \$252,334 cash funds from the CBI Identification Unit Cash Fund to the Department of Public Safety. This provision also states that the Department of Public Safety will require a reduction of 1.5 FTE.

The Revised Fiscal Note for the reengrossed bill includes an updated reduction of \$252,645 from the CBI Identification Unit Cash Fund.

Description of Amendments in This Packet

J.002

Staff amendment **J.002** (attached) adjusts the appropriation reduction currently in the bill to the Department of Public Safety from \$252,334 to \$252,645.

Points to Consider

TABOR/ Excess State Revenues Impact

The March 2025 Office of State Planning and Budgeting (OSPB) revenue forecast projects a TABOR surplus liability of \$642.7 million for FY 2025-26 and \$775.8 million for FY 2026-27 to be refunded to taxpayers out of the General Fund. Legislation that reduces non-exempt revenue (such as cash funds) will reduce the TABOR refund from the General Fund.

The Joint Budget Committee has proposed a budget package for FY 2025-26 based on the March 2025 OSPB revenue forecast. The budget package includes \$18.2 million General Fund set aside for other legislation outside of the JBC budget package. This may be used for appropriations, transfers, or increases in TABOR refunds for FY 2025-26.

This bill is estimated to reduce cash fund revenues by \$157,691 in FY 2025-26 and by \$315,382 in FY 2026-27, which will increase the available General Fund in each fiscal year by equal amounts. This bill reduces the TABOR refund made out of the General Fund by \$157,691 for FY 2025-26, increasing the \$18.2 million General Fund set aside for FY 2025-26 by the same amount.