

JBC Staff Fiscal Analysis
Senate Appropriations Committee

Concerning communication services for people with disabilities, and, in connection therewith, creating the communication services for people with disabilities enterprise and making and reducing an appropriation.

Prime Sponsors:

Representatives Brown; Froelich
Senators Jodeh; Amabile

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Fiscal Impacts

Appropriation Already Added to Bill, Amendments in Packet

General Fund/TABOR Impact

Cash Fund with Continuous Appropriation

Fiscal Note Status

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/09/25.

Update: Fiscal impact has changed due to new information or technical issues

The revised fiscal note identifies in Table 2 (pg. 5) a reduction of \$103,214 General Fund from the Colorado Commission for the Deaf, Hard of Hearing, and Deafblind in the Department of Human Services. This adjustment is included in the Long Bill and unnecessary in this bill. Legislative Council Staff and JBC staff agree on this fiscal impact.

The revised fiscal note identifies \$66,870 for the purchase of legal services (Table 2A, pg. 6) by the Department of Human Services. This cost is paid from the continuously appropriated Colorado Division for the Deaf, Hard of Hearing, and DeafBlind Cash Fund. The Department of Law requires an equal amount of spending authority to provide legal services. Legislative Council Staff and JBC staff agree on this fiscal impact.

Amendments in This Packet

J.003	Staff-prepared appropriation amendment
L.011/J.004	Bill Sponsor amendment - changes fiscal impact and appropriation

Current Appropriations Clause in Bill

The bill includes an appropriations clause that reduces FY 2025-26 appropriations by a total of \$7,342,741, including \$250,000 General Fund, and 2.0 FTE to several departments, as follows:

- a reduction of \$250,000 General Fund in the Department of Education;
- a reduction of \$3,679,668 cash funds from the Colorado Telephone Users with Disabilities Fund and 2.0 FTE in the Department of Regulatory Agencies; and
- a reduction of \$3,413,703 reappropriated funds in the Department of Human Services.

Further, the appropriations clause includes appropriations for FY 2025-26 totaling \$5,208,625 cash funds to several departments, as follows:

- \$250,000 cash funds from the Colorado Telephone Users with Disabilities Fund to the Department of Regulatory Agencies, which amount is further reappropriated to the Department of Education; and
- \$4,958,625 cash funds from the Colorado Division for the Deaf, Hard of Hearing, and Deafblind Cash Fund to the Department of Human Services, which includes \$306,157 that reflects 3.0 FTE.

Of the cash funds appropriated to the Department of Human Services, \$66,870 is further reappropriated to the Department of Law and reflects 0.3 FTE.

Description of Amendments in This Packet

J.003

Staff amendment **J.003** (attached) updates the appropriations clause to align with the revised fiscal note and the conversion of the Colorado Division for the Deaf, Hard of Hearing, and Deafblind Cash Fund from annual appropriation to continuous appropriation. The amendment retains the reductions included in the bill, and eliminates the effective date clause and contingent appropriation provisions that were necessary for the bill prior to the introduction of the Long Bill.

The amendment provides appropriations for FY 2025-26 totaling \$271,467 cash funds to several departments, as follows:

- \$250,000 cash funds from the Colorado Telephone Users with Disabilities Fund to the Department of Regulatory Agencies, which amount is further reappropriated to the Department of Education; and
- \$21,467 cash fund from the Prepaid Wireless Trust Cash Fund to the Department of Revenue, of which \$3,674 is further reappropriated to the Department of Personnel for document management services.

Additionally, \$66,870 is reappropriated to the Department of Law for the provision of legal services to the Department of Human Services, and reflects 0.3 FTE.

L.011 and J.004

Bill Sponsor amendment **L.011** (attached) eliminates continuous appropriation authority for the Colorado Division for the Deaf, Hard of Hearing, and Deafblind Cash Fund.

Amendment **J.004** updates the appropriations clause to align with **J.003** and the revised fiscal note, as well as to provide annual appropriations to the Department of Human Services from the Colorado Division for the Deaf, Hard of Hearing, and Deafblind Cash Fund.

If the Committee adopts **L.011** and **J.004**, it should **not** adopt **J.003**.

Points to Consider

General Fund Impact

Joint Budget Committee has proposed a budget package for FY 2025-26 based on the March 2025 Office of State Planning and Budgeting (OSPB) revenue forecast. The budget package includes \$18.2 million in set-asides for legislation outside of the package (see table below). The budget package accounts for the 15.0 percent reserve associated with the placeholders.

General Fund Appropriation Placeholders for Other 2025 Legislation	
Description	FY 2025-26 Appropriation
Juvenile diversion, deflection, or detention	\$10,000,000
General Assembly legislative priorities	6,521,739
Voter approved initiatives	1,700,000
Total	\$18,221,739

This bill requires a General Fund reduction of \$250,000 for FY 2025-26, increasing the \$18.2 million set aside by the same amount.

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 \$4,851,625 in FY 2025-26 and 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 \$4,723,625 for FY 2025-26, increasing the \$18.2 million General Fund set aside for FY 2025-26 by the same amount.