JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE

CONCERNING INDEPENDENT OVERSIGHT OF MATTERS CONCERNING JUDICIAL DISCIPLINE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Sens. Lee and Gardner	JBC Analyst: Alfredo Kemm
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Appropriation Items of Note

Appropriation Already Added to Bill, Amendment in Packet

General Fund Impact

New Cash Fund (with Continuous Appropriation)

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 04/29/22.

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

The House Judiciary Committee Report (05/03/22) includes amendments to the bill, 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
L.026	Bill Sponsor amendment - does not change fiscal impact

Description of Amendments in This Packet

L.026 Bill Sponsor amendment **L.026** (attached) adds a provision that further clarifies the legislative staff support required for the advisory panel added in the House Judiciary Committee Report. Legislative Council Staff and JBC Staff agree that this amendment does

not change the fiscal impact.

Current Appropriations Clause in Bill

The bill includes an appropriation clause that appropriates a total of $1,143,438 General Fund to the Commission on Judicial Discipline in the Judicial Department for FY 2022-23, which is based on an assumption that the Commission will require an additional 4.0 FTE. Of this amount, $88,713 is reappropriated to the Department of Law, which is based on an assumption that the Department of Law will require an additional 0.5 FTE. Additionally, the provision appropriates $53,463 General Fund to the Legislative Department, which is based on an assumption that the Legislative Department will require an additional 0.5 FTE.

Points to Consider

General Fund Impact

The Joint Budget Committee (JBC) has proposed a budget package for FY 2022-23 based on the March 2022 Legislative Council Staff revenue forecast. The budget package includes two set-asides for additional legislation:
- $40.0 million General Fund for bills that create ongoing obligations; and
- $900.0 million General Fund for bills that create one-time obligations in FY 2022-23.

The $40.0 million *appropriations* set-aside includes an additional $6.0 million General Fund to provide a 15.0 percent General Fund reserve for those appropriations. The $900.0 million *obligations* set-aside does not include an additional amount for a General Fund reserve and, assumes, but does not require, that obligations be addressed through statutory transfers rather than appropriations. Therefore *appropriations* from the $900.0 million set-aside require an additional 15.0 percent to maintain the statutory General Fund reserve.

1.   The JBC has included as part of its FY 2022-23 budget package $800,000 General Fund to be appropriated for implementation of this bill.

2.   This bill creates an ongoing obligation and requires a General Fund appropriation of $1,143,438 for FY 2022-23, reducing the $40.0 million set aside by $343,438, the amount in excess of the budget package set aside.

3.   This bill also creates a one-time obligation and requires a General Fund appropriation of $53,463 for FY 2022-23, reducing the $900.0 million set aside by $61,482 in order to maintain a 15.0 percent statutory General Fund reserve.