

SB21-292

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE ALLOCATION OF FIFTEEN MILLION DOLLARS FROM THE ECONOMIC RELIEF AND RECOVERY CASH FUND UNDER THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021" FOR PURPOSE OF FUNDING VICTIM'S SERVICES PROGRAMS TO ASSIST PERSONS DISPROPORTIONATELY IMPACTED BY THE COVID-19 PUBLIC HEALTH EMERGENCY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Sens. Winter and Rankin
Representative Duran

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Date Prepared: June 3, 2021

Appropriation Items of Note

Appropriation Already Added to Bill, Amendments in Packet

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 06/02/21.

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

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.003	Staff-prepared amendment - technical correction to appropriation
J.004	Staff-prepared appropriation amendment
J.005	Staff-prepared appropriation amendment
L.009/J.004	Bill Sponsor amendment - changes fiscal impact

Current Appropriations Clause in Bill

The bill includes an appropriation clause that provides \$15.0 million from the Economic Recovery and Relief Cash Fund in FY 2021-22 to four departments, as follows:

- \$3.0 million to the Department of Public Safety for the Forensic Nurse Examiners Telehealth Program;

- \$1.5 million to the Department of Public Safety for the State Victim Compensation Program;
- \$3.5 million to the Victims and Witnesses Assistance and Law Enforcement Fund in the Judicial Department;
- \$1.5 million to the Victims Assistance and Law Enforcement Fund in the Department of Public Safety;
- \$500,000 to the Address Confidentiality Program Fund in the Department of Personnel; and
- \$5.0 million to the Colorado Domestic Abuse Program Fund in the Department of Human Services.

In addition, the appropriation clause provides reappropriated funds to two departments, including:

- \$1.5 million to the Department of Public Safety for the State Victims Assistance and Law Enforcement Program; and
- \$5.0 million to the Department of Human Services for the Domestic Abuse Program.

However, pursuant to Section 8, subsection (5) of the reengrossed bill, the \$1.5 million provided to the Department of Public Safety for the Victims Assistance and Law Enforcement Program is reappropriated from the incorrect cash fund. The correct cash fund is the Victims Assistance and Law Enforcement Fund identified in subsection (4) of the appropriation clause. This error is corrected by **J.003** (attached and described below).

Description of Amendments in This Packet

J.003 Staff has prepared amendment **J.003** (attached) to change the existing clause to reappropriate \$1.5 million from the Victims Assistance and Law Enforcement Fund, rather than the Colorado Domestic Abuse Program Fund. This amendment fixes a technical error in the appropriation clause.

J.004 Staff has prepared amendment **J.004** (attached) to change the existing appropriation clause to provide \$1.0 million cash funds from the Economic Recovery and Relief Cash Fund to the Judicial Department for the Family Violence Justice Grants program. This amendment increases the total appropriation made by the bill to \$16.0 million from the Economic Recovery and Relief Cash Fund.

J.005 Staff has prepared amendment **J.005** (attached) to change the existing appropriation clause to provide a net-zero redistribution of \$750,000 cash funds from the Economic Recovery and Relief Cash Fund, as follows:

- Reduces by \$500,000 the appropriation to the Victims and Witnesses Assistance and Law Enforcement Fund in the Judicial Department;
- Reduces by \$250,000 the appropriation to the Colorado Domestic Abuse Program Fund in the Department of Human Services and reduces by \$250,000 the reappropriation of funds to the Department of Human Services for the Domestic Abuse Program; and

- Appropriates \$750,000 to the Judicial Department for the Family Violence Justice Grants program.

This amendment provides \$250,000 less for Family Violence Justice Grants than amendment **J.004**; however, **J.005** makes those funds available through reductions to other appropriations rather than adding new funding.

L.009 Bill Sponsor amendment **L.009** (attached) adds the Family Violence Justice Grants program as an eligible recipient of Economic Recovery and Relief Cash Funds, created by S.B. 21-291. Family Violence Justice Grants are overseen by the Judicial Department.

If **L.009** is adopted, then either **J.004** or **J.005** should also be adopted but **not both**.

J.003 should be adopted regardless of any action on other amendments.

Points to Consider

None.