

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE CONTINUATION OF THE REGULATION OF PERSONS RELATED TO THE FINAL DISPOSITION OF DECEASED HUMAN BODIES, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS IN THE 2023 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES AND MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Soper and Titone
Sens. Roberts and Gardner

JBC Analyst: Kelly Shen
Phone: 303-866-5434
Date Prepared: May 4, 2024

Appropriation Items of Note

Appropriation Already Added to Bill, Amendment in Packet

TABOR Impact

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 04/18/24.

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

The Senate Business, Labor, and Technology Committee Report (04/30/24) and Senate Finance Committee Report (05/03/24) include amendments to the reengrossed 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
J.002	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill includes an appropriation clause that appropriates \$336,850 cash funds from the Division of Professions and Occupations Cash Fund to the Department of Regulatory Agencies for FY 2024-

25. Of this amount, \$44,807 is further appropriated to the Department of Law. The appropriation is based on the assumption that the Department of Regulatory Agencies will require an additional 2.8 FTE and the Department of Law will require an additional 0.2 FTE.

This clause does not reflect the fiscal impact of the bill identified in the Revised Fiscal Note for the reengrossed bill.

Description of Amendments in This Packet

J.002 Staff has prepared amendment **J.002** (attached) that amends the existing appropriation clause to appropriate \$339,196 cash funds from the Division of Professions and Occupations Cash Fund to the Department of Regulatory Agencies for FY 2024-25. This provision does not change the number of FTE required by the Department. The appropriation to the Department of Law also remains unchanged.

Points to Consider*TABOR/ Excess State Revenues Impact*

The March 2024 Office of State Planning and Budgeting (OSPB) revenue forecast projects a TABOR surplus liability of \$1.3 billion for FY 2024-25 and \$1.8 billion for FY 2025-26 to be refunded to taxpayers out of the General Fund. Legislation that increases non-exempt revenue (such as cash funds) will increase the TABOR refund from the General Fund. The budget package includes a set aside of \$63.1 million General Fund for appropriations in FY 2024-25.

This bill is estimated to increase cash fund revenues by \$392,700 in FY 2024-25 and by \$363,000 in FY 2025-26, which will reduce the available General Fund in each fiscal year by equal amounts. This bill increases the TABOR refund made out of the General Fund by \$392,700 for FY 2024-25, reducing the \$63.1 million General Fund set aside for FY 2024-25 by the same amount.