

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING ENFORCEMENT OF COMPULSORY EDUCATION REQUIREMENTS.

Prime Sponsors: Senator Holbert
Representative Fields

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Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/09/15.

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 Education Committee Report (03/12/15) 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
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$337,154 cash funds to the Department of Personnel for FY 2015-16 from user fees from non-state agencies. This provision also states that the appropriation is based on the assumption that the Department will require an additional 3.5 FTE to implement the act. Amendment **J.001** also reduces the Long Bill appropriation to the Judicial Department for FY 2015-16 by \$176,965 General Fund and 1.8 FTE.

Points to Consider*TABOR/ Excess State Revenues Impact*

As identified in the Legislative Council Staff Fiscal Note, the bill will generate an estimated \$389,881 in cash funds revenue in FY 2015-16 which will increase the TABOR refund by an equal amount. This impact is partially offset by a \$176,965 reduction in General Fund appropriations to the Judicial Department.

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2015-16 based on the March 2015 Legislative Council Staff revenue forecast. The budget package allocates a total of \$18.5 million General Fund to be available to fund 2015 legislation. If the full \$18.5 million is not used to fund legislation, it will remain in the General Fund reserve.

Related Budget Information

The bill removes the juvenile court's jurisdiction over truancy petitions, except on appeal, including the authority for the court to appoint a guardian ad litem (GAL) to act in the best interests of a child involved in a truancy case. The Office of the Child's Representative (OCR), an independent agency within the Judicial Branch, currently oversees and pays for attorneys who are appointed as GALs in truancy cases. In FY 2013-14, the OCR spent \$293,163 General Fund for 856 appointments in truancy cases.

To the extent that this bill reduces the number of cases in which the court appoints a GAL to act in the best interests of a child, this bill will reduce OCR expenditures. However, these potential savings cannot be quantified at this time. The OCR indicates that many of these truancy cases involve issues that arise in dependency and neglect cases (e.g., substance abuse by parents). The OCR anticipates that if this bill passes, county departments of social services may choose to file dependency and neglect petitions when a truancy case involves these types of issues in order to ensure that families receive needed services.