

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE CLASSIFICATION OF A DEPENDENT OF A MEMBER OF THE ARMED FORCES FOR PURPOSES OF DETERMINING TUITION AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

Prime Sponsors: Representative Hefley  
Senator McElhany

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**Summary of Amendments Made to the Bill After the 02/03/04 Legislative Council Staff Revised Fiscal Note was Prepared (Amended by the House Education Committee 01/19/04)**

None. The Legislative Council Staff Revised Fiscal Note dated 02/03/04 includes the impact of the House Education Committee amendment.

**JBC Staff Concurrence with Legislative Council Fiscal Note**

**Concurs**       **Does Not Concur**       **Updated**

**Amendments/Appropriation Status**

The bill does not currently contain, nor does it require, an appropriations clause.

**Sponsor Amendments**

Staff is not aware of any sponsor amendments.

**Questions and Concerns**

1. If the General Assembly provides enrollment funding for resident students at the current rate per student, and the enrollment funding is provided on the traditional one-year lag basis, this bill will require an increase in General Fund appropriations in FY 2005-06. However, due to the revenue shortfall, the General Assembly has not provided enrollment funding for higher education institutions the last few years.
2. The December 2003 Legislative Council Staff projects a TABOR surplus of \$39.1 million in FY 2004-05. This sum must be refunded to the taxpayers out of the General Fund. Legislation that decreases non-exempt revenue (such as cash funds) to the state will decrease the TABOR refund made out of the General Fund. Correspondingly, this will increase the amount of General Fund available for programs. This bill is estimated to decrease cash fund revenues by \$405,334 in FY 2004-05.