

Colorado Legislative Council Staff Fiscal Note

STATE
FISCAL IMPACT

Drafting Number: LLS 11-0654
Prime Sponsor(s): Rep. Gerou
 Sen. Hodge

Date: February 8, 2011
Bill Status: House Transportation
Fiscal Analyst: Kurtis Morrison (303-866-3140)

TITLE: CONCERNING THE EXTENSION THROUGH THE 2011-12 FISCAL YEAR OF AUTHORIZATION FOR THE USE OF HIGHWAY USERS TAX FUND MONEYS TO FUND DRIVER AND VEHICLE SERVICES WITHIN THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF REVENUE.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Transfers or Diversions Diversion from the Highway Users Tax Fund to the Licensing Services Cash Fund	See State Diversions section.	
State Expenditures		
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: None.		

Summary of Legislation

House Bill 11-1161, recommended by the Joint Budget Committee, continues through FY 2011-12 the statutory authority to use Highway User Tax Fund (HUTF) "off-the-top" appropriations for expenses incurred by the Department of Revenue (DOR) Division of Motor Vehicles (Division).

Background

State law authorizes the General Assembly to appropriate HUTF funds prior to formula distributions to the State Highway Fund, counties, and cities. These appropriations, also referred to as "off-the-top" appropriations, allow HUTF funds to be appropriated to the Colorado State Patrol and the ports of entry. State law restricts off-the-top appropriations from exceeding 106 percent of the prior fiscal year appropriation. In FY 2008-09, 2009-10, and 2010-11, the General Assembly enacted legislation permitting the use of off-the-top appropriations for the DOR Division of Motor Vehicles.

State Diversions

The bill permits HUTF cash funding of driver's license offices for FY 2011-12, by authorizing the diversion of HUTF revenue to the Licensing Services Cash Fund (LSCF) for use by the Division. Current projections are that the LSCF will be \$1.05 million below requested appropriations for FY 2011-12. The bill would permit the General Assembly to appropriate additional funds to the LSCF from the HUTF.

Departments Contacted

Joint Budget Committee Public Safety Revenue Transportation