

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE REALLOCATION OF THE CONSERVATION TRUST FUND TO A METROPOLITAN DISTRICT THAT PROVIDES PARKS AND RECREATION SERVICES WITHIN AND INCLUDES TERRITORY WITHIN THE UNINCORPORATED AREA OF A COUNTY ONLY.

Prime Sponsors: Representative Swerdfeger
Senator Giron

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Summary of Amendments Made to the Bill After the 03/05/12 Legislative Council Staff Revised Fiscal Note Was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs

Does Not Concur

Updated Analysis

Reason for the Non-Concurrence / Update

Staff has updated the fiscal impact contained in the Legislative Council Staff's Fiscal Note dated 03/05/12 to include FTE associated with implementation of this act. JBC and Legislative Council Staff estimate that the workload for the Department of Local Affairs will increase by 120 hours, or 0.1 FTE, for Conservation Trust Fund program staff in FY 2012-13. Additionally, workload for the Office of Information Technology will increase by 200 hours, or 0.1 FTE, in FY 2012-13.

Amendments/Appropriation Status

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$19,250 cash funds and 0.1 FTE from the Conservation Trust Fund Allocation Expense Fund to the Department of Local Affairs for FY 2012-13. Of this amount, \$16,240 and 0.1 FTE is reappropriated to the Governor - Lieutenant Governor - State Planning and Budgeting, for allocation to the Office of Information Technology in FY 2012-13.

Bill Sponsor Amendments

Sponsor amendment **L.004** (attached) would amend the printed bill in two ways. First, the amendment would create an "opt-in" mechanism for eligible districts to receive full shares of Conservation Trust Fund (CTF) distributions. The legislation currently allows eligible districts to opt-out if they do not wish to receive additional CTF funds. Legislative Council and Joint Budget Committee Staff both calculated the local government impact based on an assumption that districts

with the discretion to receive additional CTF funds would do so. As a result, the opt-in language does not alter the bill's fiscal impact.

Second, the amendment adds the following criteria to specify which metropolitan districts are eligible to receive full share CTF distributions:

- A population of at least 1,000;
- An elected board; and
- Non-exclusive facilities (i.e. district parks and recreational facilities must not be private).

These criteria will exclude 27 of the 41 metropolitan districts identified in the revised fiscal note. The 14 largest districts will continue to be eligible, receiving \$326,000 more in CTF moneys, while 8 county governments receive an aggregate decrease of the same amount. Please see Table 1.

| Table 1. Estimated Change in Annual CTF Distribution to Local Governments Under HB12-1254* | | | | | |
|---|----------------------------------|-----------------------------------|---------------------|----------------------------------|-----------------------------------|
| <i>County</i> | <i>Affected Local Government</i> | <i>Change in CTF Distribution</i> | <i>County</i> | <i>Affected Local Government</i> | <i>Change in CTF Distribution</i> |
| Arapahoe | Goodman Metro | 24,169 | Woodmen Hills Metro | | 28,568 |
| | Arapahoe County | (24,169) | | El Paso County | (49,470) |
| Douglas | High Prairie Farms Metro | 9,673 | Jefferson | Ken-Caryl Ranch Metro | 47,266 |
| | Perry Park Metro | 5,601 | | Jefferson County | (47,266) |
| | Pinery West Metro #2 | 6,307 | La Plata | Forest Lakes Metro | 5,082 |
| | Roxborough Village Metro | 27,799 | | La Plata County | (5,082) |
| | Douglas County | (49,380) | | Pueblo | Colorado City Metro |
| Eagle | Berry Creek Metro | 7,939 | Pueblo West Metro | 127,122 | |
| | Eagle County | (7,939) | Pueblo County | (137,193) | |
| El Paso | Meridian Ranch Metro | 11,694 | Summit | Buffalo Mtn Metro | 5,342 |
| | Paint Brush Hills Metro | 9,208 | | Summit County | (5,342) |

** This table reflects implementation of the bill based on 2010 population data and 2011 CTF distribution data for metropolitan districts located entirely in unincorporated areas, as reported by the Department of Local Affairs.*

Critically, neither the opt-in language nor the new definition of eligible metropolitan districts impact the state expenditures required by the bill. The Department of Local Affairs and the Office of Information Technology (OIT) will still need to modify the distribution formula in the CTF database and other CTF distribution processes, requiring a \$19,250 cash fund appropriation in FY 2012-13.

Points to Consider

None.