

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE CREATION OF A PROGRAM IN THE DEPARTMENT OF AGRICULTURE TO REGULATE INDUSTRIAL HEMP PRODUCTION.

Prime Sponsors: Sens. Schwartz and Crowder  
Reps. Coram and Fischer

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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 04/05/13.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The Senate Agriculture, Natural Resources, & Energy Committee Report (04/10/13) 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**

<b>Amendment</b>	<b>Description</b>
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 \$21,205 General Fund to the Department of Agriculture for FY 2013-14. Of this amount, \$13,905 is reappropriated to the Department of Law for the provision of legal services.

**Points to Consider**

*General Fund Impact*

1. The Joint Budget Committee has proposed a budget package for FY 2013-14 based on the March 2013 Office of State Planning and Budgeting revenue forecast. The budget package

## **SB13-241**

## **JBC Staff Analysis**

allocates all but approximately \$9.0 million of General Fund revenues projected to be available. Pursuant to S.B. 13-236, this \$9.0 million General Fund will be transferred to the Colorado Water Conservation Board (CWCB) Construction Fund. This bill requires a General Fund appropriation of \$21,205 for FY 2013-14 and thus will reduce the transfer to the CWCB Construction Fund by that amount.

### *Technical Issues*

2. The bill creates the new Industrial Hemp Registration Program Fund, which consists of registration fees from program participants. The bill authorizes the Department to impose civil penalties on program participants in violation of the provisions of the bill. The Fund is not authorized to receive civil penalties that may be collected. The General Assembly may want to consider allowing civil penalties to be credited to the Industrial Hemp Registration Program Fund.