

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING REPURPOSING THE DAY SURGERY CENTER AT THE DENVER RECEPTION AND DIAGNOSTIC CENTER INTO AN AUXILIARY MEDICAL FACILITY.

Prime Sponsors: Representative Gardner  
Senator Steadman

JBC Analyst: Steve Allen  
Phone: 303-866-2061  
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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 03/20/14.

<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 Public Health Care & Human Services Committee Report (03/25/14) 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 \$199,000 General Fund to the Department of Corrections for FY 2014-15.

Pursuant to direction from the Chairmen of the Appropriations Committees, this amendment includes a provision to access the \$20.0 million General Fund that has been set aside in the Joint Budget Committee's FY 2014-15 budget package to fund 2014 legislation. For FY 2014-15, this amendment accesses set aside money to offset the \$199,000 General Fund appropriation to the Judicial Department.

**Points to Consider***General Fund Impact*

1. The Joint Budget Committee has proposed a budget package for FY 2014-15 based on the March 2014 Office of State Planning and Budgeting revenue forecast. The budget package allocates \$20.0 million General Fund to be available to fund 2014 legislation; if the full \$20.0 million is not used to fund legislation, it will be credited to the Controlled Maintenance Trust Fund.

*Payment Sources for the Lease-purchase Agreement*

2. The Public Health Care and Human Services Committee added the following provision to the bill:

**SECTION 2.** (3) The Department of Corrections may make payments on the lease-purchase agreement for the day surgery center from moneys for clinical services or from other moneys appropriated by the general assembly.

This provision would allow the Department to make lease-purchase payments from *any* of its General Fund appropriations, including appropriations that are unrelated to the operation of the day surgery center. The Department currently pays about \$325,000 annually in interest and principal for the lease purchase agreement that funded construction of the center. Given the flexibility in this provision, the Department could, next year, pay \$100,000 of the \$325,000 from a personal services appropriation that funds parole officers, \$100,000 from an appropriation for mental health services for offenders, and \$125,000 from an appropriation for offender education. In the process, the Department could circumvent the intent of the General Assembly in making these appropriations. If the phrase "or from other moneys" was deleted, the Department would be required at a minimum to pay for the lease from appropriations related to the operation of the center.