

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING INCREASING PENALTIES FOR CARELESS DRIVING.

Prime Sponsors: Senator Tochtrop

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**Summary of Amendments Made to the Bill After the 04/04/06 Legislative Council Staff Revised Fiscal Note was Prepared**

None.

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

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

**Amendments/Appropriation Status**

The bill presently contains an appropriations clause consistent with the prior Legislative Council Staff Revised Fiscal Note dated *March 1, 2006*. However, staff has drafted **J.003** to insert a clause that appropriates both \$141,733 General Fund and 1.2 FTE to the Judicial Department and \$29,185 cash funds to the Department of Transportation in FY 2006-07 to implement the bill. This change is consistent with the estimated fiscal impact of the bill as delineated in the Legislative Council Staff Revised Fiscal Note dated *April 4, 2006*. It is important to note that **J.003** includes a provision that strikes the Appropriations Committee Report dated March 3, 2006.

The Department of Revenue does not require an appropriation for \$1,390 General Fund related to computer programming costs as identified in the Legislative Council Staff Revised Fiscal Notes dated April 4, 2006. Historically, nominal computer programming costs for bills are funded with through an appropriation in the Long Bill.

**Sponsor Amendments**

Sponsor amendment **L.007** allocates moneys received through fines pursuant to the proposed legislation on a percentage basis. The introduced bill credited the first \$60 of each fine to the Driver's License Administrative Revocation Account and the remainder to counties and municipalities on a percentage basis. The original methodology would have required programming changes to the Judicial Department's Integrated Colorado On-line Network (ICON). Sponsor amendment **L.007** allocates fines on a percentage basis only, which ICON can accommodate without modification. *If L.007 is adopted, then J.003 is unnecessary.*

Adoption of **L.007** leaves the appropriations clause for \$29,185 cash funds to the Department of Transportation intact, which is consistent with the Legislative Council Staff Revised Fiscal Note dated April 4, 2006.

**Points to Consider**

The Joint Budget Committee has introduced a budget package for FY 2006-07 based on the March 2006 Legislative Council Staff revenue forecast. The budget package appropriates the maximum amount of General Fund allowed pursuant to the statutory six percent limit on General Fund appropriations, less \$10,000,000<sup>1</sup>. This bill requires \$141,733 in additional General Fund appropriations for FY 2006-07; this appropriation is subject to the six percent statutory limit on General Fund appropriations. If this bill is enacted in conjunction with other bills that require more than a total of \$10.0 million General Fund for FY 2006-07, the General Assembly will exceed the statutory limit on General Fund appropriations.

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<sup>1</sup> Please note that on March 31, 2006, the Governor vetoed H.B. 06-1374, which appropriates \$20.0 million General Fund for FY 2005-06 for the *Giardino* lawsuit settlement (including \$10.0 million subject to the six percent limit on General Fund appropriations, and \$10.0 million exempt from the six percent limit). The FY 2006-07 Long Bill appropriates \$20.0 million General Fund for the *Giardino* lawsuit settlement for FY 2006-07; this appropriation is predicated on statutory changes in H.B. 06-1374. The Joint Budget Committee has not yet discussed any adjustments to the budget package in response to this veto.