


Colorado Legislative Council Staff Fiscal Note
FINAL
FISCAL NOTE

Drafting Number: LLS 10-1117
Prime Sponsor(s): Sen. White
 Rep. Scanlan

Date: June 7, 2010
Bill Status: Postponed Indefinitely
Fiscal Analyst: Harry Zeid (303-866-4753)

TITLE: CONCERNING THE DISTRIBUTION OF FIFTY PERCENT OF THE LIMITED GAMING FUND ALLOCATED TO THE STATE GENERAL FUND OR SUCH OTHER FUND AS THE GENERAL ASSEMBLY PROVIDES AS SPECIFIED IN SECTION 9 (5) (B) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: The bill was postponed indefinitely by the House Finance Committee on May 5, 2010.		
Appropriation Summary for FY 2010-2011: None required.		
Local Government Impact: None.		

Summary of Legislation

Current law provides a series of triggers and exceptions related to the distribution of a portion of money in the Limited Gaming Fund. This bill removes those triggers and exceptions beginning in FY 2010-11, and every fiscal year thereafter.

State Transfers or Diversions

Under current law, if the March revenue forecast prepared by Legislative Council Staff indicates that the amount of General Fund revenue for the fiscal year is insufficient to cover the General Fund appropriations to be made for that fiscal year as included in the Joint Budget Committee's (JBC) appropriations report, the committee, acting by bill, may determine the amount of money to be transferred to the various funds identified in Table 1. If the JBC does not run a bill and the June forecast indicates insufficient revenue, then the State Treasurer must transfer money from these programs to the General Fund.

Based on the March 2010 Legislative Council Staff revenue forecast, revenue will be sufficient to cover General Fund appropriations in FY 2010-11. If this continues to be true through the June 2011 forecast, funding for the programs identified in Table 1 will occur for FY 2010-11 regardless of the outcome of SB10-206. On this basis, the bill is assessed at no fiscal impact in

FY 2010-11. The bill is assessed as having a state conditional fiscal impact beginning in FY 2011-12 since it is not known whether General Fund revenue under current law will be sufficient in FY 2011-12 and beyond.

Assuming passage of SB10-206, Table 1 shows the transfers that will be provided annually in FY 2010-11 through FY 2012-13. The Innovative Higher Education Research Fund remains constant at \$1.0 million. The Clean Energy Fund receives the moneys not otherwise allocated, and transfers to the other funds are adjusted annually based on the percentage change in the Consumer Price Index for the Denver metropolitan area.

Table 1. Transfers Provided from Limited Gaming Fund Moneys (Millions of Dollars)			
Fund	FY 2010-11	FY 2011-12	FY 2012-13
Colorado Travel and Tourism Promotion Fund	\$20.88	\$21.32	\$21.81
State Council on the Arts Cash Fund	1.65	1.68	1.72
New Jobs Incentives Cash Fund	3.30	3.37	3.44
Film Incentives Cash Fund	0.66	0.67	0.69
Innovative Higher Education Research Fund	1.00	1.00	1.00
Clean Energy Fund	<u>9.20</u>	<u>10.43</u>	<u>17.24</u>
Total	\$36.69	\$38.47	\$45.90

Departments Contacted

Legislative Council Staff