

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING ENGLISH LANGUAGE PROFICIENCY PROGRAMS IN PUBLIC SCHOOLS.

Prime Sponsors: Reps. Buckner and Navarro
Sens. Roberts and Kerr

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Date Prepared: April 10, 2013

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 04/08/13.

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

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment
L.006	Bill Sponsor amendment - does not changes fiscal impact in FY 2013-14

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 a total of \$7,000,000 cash funds from the State Education Fund (plus another \$6,520,856 from reappropriated funds) in FY 2013-14 to support the implementation of the bill, including:

- \$3,090 to the Department of Education for the purchase of legal services associated with the bill (which is then reappropriated to the Department of Law to provide legal services);
- \$424,426 and 6.0 FTE to the Department of Education for personal services;
- \$54,718 to the Department of Education for operating expenses and other related costs;
- \$250,000 into the Excellence Awards Fund created in the bill (which is then appropriated out of that fund to the Department of Education to support the English Language Proficiency Act Excellence Awards Program); and

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- \$6,267,766 into the Professional Development and Student Support Fund created in the bill (which is then appropriated out of that fund to the Department of Education to support the Professional Development and Student Support Program).

L.006 Bill Sponsor amendment **L.006** (attached) eliminates a provision in the Education Committee Report that repeals the Professional Development and Student Support Program, effective July 1, 2015, if S.B. 13-213 (Future School Finance Act) is enacted and becomes law. Thus, the amendment would continue that program beyond July 1, 2015, whether or not S.B. 13-213 is enacted and becomes law. Legislative Council Staff and Joint Budget Committee Staff agree that the amendment could change the fiscal impact of the bill in FY 2015-16 and beyond but does not change the fiscal impact of the bill in FY 2013-14 or FY 2014-15. **Thus, whether or not the Committee adopts amendment L.006, it should adopt amendment J.001.**

Points to Consider

Technical Issues

The bill creates two new cash funds that would consist of moneys appropriated from the State Education Fund. Is it necessary to annually appropriate State Education Fund moneys into new cash funds rather than appropriating State Education Fund moneys directly to the Department of Education for the designated purposes?