

JBC Staff Fiscal Analysis
House Appropriations Committee

Concerning measures to prevent organized retail theft, and, in connection therewith, creating the retail theft prevention advisory board and the retail theft prevention grant program in the office of the attorney general.

Prime Sponsors:

Representative Woog; Espenosa
(None)

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Fiscal Impacts

Appropriation Not Required, Amendment in Packet

General Fund Impact

Fiscal Note Status

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 02/17/26.

No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill.

The Judiciary Committee Report (03/24/26) includes amendments to the bill. However, LCS and JBC staff agree that these amendments do not have a fiscal impact.

Amendments in This Packet

- J.001 Staff-prepared appropriation amendment
- L.012 Bill Sponsor amendment - changes fiscal impact.

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001

Staff amendment **J.001** (attached) appropriates a total of \$42,137 General Fund to the Department of Law for FY 2026-27, which includes funding for 0.4 FTE.

L.012

Bill Sponsor amendment **L.012** (attached) adds the Retail Theft Prevention Grant Program, which is created in the bill, as an allowable expenditure under the Safer Streets Grant Program statute. The Safer Streets Grant Program was created through S.B. 22-145 with a \$10.3 million General Fund appropriation. Senate Bill 23-277 subsequently provided roll-forward spending authority for the appropriation until fully expended or repealed on July 1, 2027.

The LCS fiscal memo (05/05/26, attached) says that the Department of Public Safety has stated that about \$350,000 of the original \$10.3 million appropriation for Safer Streets is unspent. Amendment **L.012** would allow the Department to spend that money on the Retail Theft Prevention Grant Program. LCS and JBC staff agree that no appropriation is required because the Department has the statutory authority to spend money for the Safer Streets Grant Program without further legislative appropriation.¹

The amendment also extends the repeal of the Safer Streets Grant Program until July 1, 2029, effectively allowing the Department to spend the \$350,000 General Fund on the Retail Theft Prevention Grant Program over the next two fiscal years.

The Committee should adopt either J.001 or L.012, but not both.

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2026-27 based on the March 2026 Office of State Planning and Budgeting (OSP) revenue forecast. The budget package includes \$42.3 million in set-asides for legislation outside of the package (see table below). The budget package accounts for the 13.0 percent reserve associated with the placeholders.

General Fund Appropriation Placeholders for Other 2026 Legislation (\$ in millions)

Item	FY 2026-27
SB 26-149 (Pathways for Individuals with Mental Health Disorders)	\$25.9
Potential prison capacity supplemental	5.9
Applied behavioral analysis licensing	5.0
County Administration shared services	3.1
SB 26-042 (Revenue Classification TABOR)	2.3
Medicaid working group	0.5
HB 26-1331 (Modify 2026 Interim Committees)	-0.4
Total - Placeholders for other legislation	\$42.3

This bill requires a General Fund appropriation of \$42,137 for FY 2026-27, reducing the \$42.3 million set aside by the same amount.

If the Committee adopts **L.012**, the bill allows the Department of Public Safety to spend an estimated \$350,000 General Fund on the Retail Theft Prevention Grant Program created in the bill in FY 2026-27. This money comes from General Fund previously appropriated for the Safer Streets Grant Program. This money would revert back to the General Fund on July 1, 2027, unless otherwise spent on the Safer Streets Grant Program, or be available for budget balancing purposes.

¹ Section 24-33.5-117 (7), C.R.S.