



JBC Staff Comeback Memos

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JBC Staff Comeback

Judicial – Courts & Probation

JBC Staff: Amanda Bickel, (303-866-4960)

Date: March 17, 2026

Decision: Vacancy Savings in Annualization of S.B. 25-024 (Judicial Officers)

Recommendation

Staff recommends **reducing** the annualization for S.B. 25-024 (Judicial Officers) for FY 2026-27 to incorporate anticipated **vacancy savings in FY 2026-27 of \$550,831 General Fund**. A total of 55.0 FTE, including 15.0 new judges, are included in the annualized cost of FY S.B. 25-024. Five of the new judges and 14 support staff were added in FY 2025-26, and ten of the new judges and 26 support staff are added in FY 2026-27.

- The calculation, provided by the Department, is based on an average delay of three months for when the 26.0 FTE new *clerks and legal research attorneys* come on board during FY 2026-27, i.e., staff are—on average—anticipated to come on board in October, rather than July.
- Staff and the Department assume that this is one-time savings and that funding is restored in FY 2027-28. These figures do not include delays in when judges come on board.
- This change reduces the *incremental* second year impact of the bill on the courts and probation from \$4,735,935 to \$4,185,104 General Fund.
- Staff notes that S.B. 25-024 also added staff in the Office of the State Public Defender. Mr. Thompson is exploring whether a similar annualization reduction is feasible on OSPD.

Analysis

Staff requested information on the speed at which staff hired in FY 2025-26 pursuant to S.B. 25-024 had come on board. The data provided confirmed that there has been, on average, a three month delay.

Additional Information: Probation Officers Added in FY 2025-26 Aurora Domestic Violence Decision Item

Background: During figure setting for the Judicial Department on March 13, 2026, the JBC voted to provide **no** funding for the second year impact of the FY 2025-26 R2 Aurora Domestic Violence decision item, because the

Department had disbursed the new staff approved throughout the State, rather than solely to judicial districts that include Aurora. The JBC added 8.8 FTE for this initiative in FY 2025-26, with onboarding staggered through FY 2025-26, so that only 3.2 FTE were added in FY 2025-26.

The Department request for annualizing this item was \$1,232,285, including \$1,181,965 General Fund, and 12.0 FTE, which was based on a misunderstanding of prior JBC action. The staff recommendation was \$467,800 General Fund and 5.6 FTE.

New information: In response to the Committee's questions, the Department noted that the City of Aurora is in the 17th and 18th Judicial Districts. Out of the 8.8 (fully annualized) FTE added in FY 2025-26, 1.0 FTE (fully annualized) was assigned to the 17th JD and 2.0 FTE (fully annualized) were assigned to the 18th JD.

JBC Staff Comeback

Office of State Public Defender

JBC Staff: Scott Philip Thompson, (303-866-4957)

Date: March 17, 2026

Footnote to for Aurora Domestic Violence Docket Funding

During figure setting for the Office of the State Public Defender the Joint Budget Committee requested a footnote to state the General Assembly's intent that the funding be utilized to increase staffing for Public Defenders in the judicial districts impacted by Aurora no longer prosecuting its domestic violence offenses at the municipal court. Staff recommends the Committee approve the following footnote:

Judicial Department, Office of the State Public Defender – It is the General Assembly's intent, that of the total appropriation, \$558,393 General Fund is to increase staff in the 17th and 18th Judicial Districts to represent defendants in domestic violence cases that are no longer being pursued at Aurora Municipal Court.

JBC Staff requests permission to make adjustments to this recommended footnote based on advice and consultation with staff from the Office of Legislative Legal Services.

JBC Staff Comeback

Statewide Operating Common Policies

JBC Staff: Tom Dermody, (303-866-4963)

Date: March 17, 2026

Capital Complex Leased Space – Revised Recommendation

On March 11, during figure setting for the Department of Higher Education, the Committee approved staff recommendation for *S15 Collections Care and Storage*, which included the elimination of \$933,838 General Fund appropriated to History Colorado’s Capitol Complex Leased Space line item. This appropriation was eliminated because History Colorado is unable to occupy the state-owned property at 1881 Pierce St. As a result, the maintenance cost of this property (88,791 sq. ft.) will be shifted to the Department of Personnel. General Fund is still required to cover this cost.

The current methodology for determining allocated costs associated with Capitol Complex lease space uses excess cash fund balance to reduce the program costs that are shared by those departments and agencies that occupy the state-owned space. During figure setting for Operating Common Policies on February 5, staff calculated that the total program cost for the Capitol Complex Leased Space common policy was \$20.4 million total funds. Staff then recommended using \$3.3 million in excess cash fund balance to reduce the allocated costs to \$17.1 million. The General Assembly will need to appropriate \$10.4 million General Fund, including \$3.2 million for vacant square footage, under the current methodology for allocating Capitol Complex lease space costs.

Revised Capital Complex Leased Space Methodology

JBC staff recommends revising the methodology for calculating the allocated program cost for the Capital Complex Leased Space common policy. This revised methodology will use the excess cash fund balance to cover a portion (86.3 percent) of the cost of the vacant square footage in the Capital Complex, while the full program cost is distributed among the state agencies using Capital Complex leased space. These cash funds will be appropriated to the Capitol Complex Leased Space line item in the Department of Personnel, which manages Capitol Complex leased space and is responsible for maintaining vacant space.

Revised Total Cost of Capitol Complex Leased Space Common Policy

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds
Figure setting	\$17,028,099	\$10,385,834	\$1,857,311	\$4,041,938	\$743,014
Revised recommendation	20,375,976	9,079,425	5,570,831	4,836,612	889,107
Difference	\$3,347,877	-\$1,306,409	\$3,713,520	\$794,674	\$146,093

Staff recommends this methodology change be ongoing. Despite the allocated program costs increasing for participating state agencies, the total General Fund obligation for the common policy decreases by \$1.3 million, as compared to staff’s figure setting recommendation. In those instances where the excess cash fund balance is

more than the cost of vacant square footage, the remaining excess cash fund balance can be used to reduce the allocated program costs. In those cases where the cash fund reserve needs to be refreshed, the added cost will increase the allocated program costs.

Program Costs

The following table outlines total Facilities Maintenance – Capitol Complex program costs for allocation to state agencies through the *Capitol Complex Leased Space* and *Maintenance of Legislative Space* line items that include program overhead costs consisting of staff and administrative expenses; building and maintenance costs; and depreciation and energy and utility costs. Personal services, operating expenses, repairs, security, and indirect costs are based on figure setting recommendations for the next fiscal year. Operating and OIT common policy items are estimated by the Department on current fiscal year appropriations and internal Department allocations to programs and divisions. Utilities, depreciation, and campus splits are based on Department allocations and methodologies.

Capitol Complex Leased Space Program Costs

Element	FY 2025-26 Appropriation	FY 2026-27 Request	FY 2026-27 Recommendation	Difference from Request	Total Adjustment
Personal Services	4,818,268	4,936,298	4,916,092	-20,206	97,824
Benefits POTS	1,388,179	1,774,067	1,771,111	-2,956	382,932
OIT and Operating Common Policies	1,861,688	1,237,005	1,237,005	0	-624,683
Operating Expenses	3,980,500	4,087,314	3,980,500	-106,814	0
Administrative Overhead	541,720	557,139	557,139	0	15,419
Capitol Complex Repairs	56,520	56,520	56,520	0	0
Capitol Complex Security	826,076	826,076	854,633	28,557	28,557
Utilities	4,367,757	4,181,361	4,180,966	-395	-186,791
Indirect Cost Assessment	573,678	631,046	573,678	-57,368	0
Depreciation	290,000	315,000	315,000	0	25,000
Energy Performance Depreciation	2,140,000	2,000,000	2,000,000	0	-140,000
Sprint Leased Tower Space	-57,141	-66,665	-66,665	0	-9,524
Program costs subtotal	\$20,787,244	\$20,535,161	\$20,375,979	-\$159,182	-\$411,265
Fund balance adjustment	-3,961,824	-3,335,196	0	3,335,196	3,961,824
Total for allocation	\$16,825,420	\$17,199,965	\$20,375,979	\$3,176,014	\$3,550,559
<i>Annual growth of allocation</i>					21.1%

State Agency Utilization and Allocation

The following table outlines square footage allocation by agency, accounting for the occupancy change at 1881 Pierce St.

Square Foot Allocation by State Agency

Department	Total Denver	Pierce St	North Campus	Grand Junction	Camp George West	Total All Buildings
Corrections	0	0	0	0	0	0
Correctional Industries	0	0	0	0	0	0
Early Childhood	0	0	0	0	0	0
Education	56,855	0	0	0	0	56,855
Legislature	156,513	0	0	0	0	156,513

Department	Total Denver	Pierce St	North Campus	Grand Junction	Camp George West	Total All Buildings
Governor, Lt Governor, OSPB	36,878	0	0	0	0	36,878
OIT	33,177	0	0	901	0	34,078
Higher Education-Hist CO	0	0	0	0	0	0
Human Services	72,298	0	0	0	0	72,298
Labor & Employment	0	0	5,381	2,993	0	8,374
Local Affairs	35,818	0	0	3,783	0	39,601
Military and Veterans Affairs	0	0	0	0	53,932	53,932
Natural Resources	44,982	0	0	0	0	44,982
Personnel	96,030	0	80,901	2,724	0	179,655
Public Health and Environment	0	0	0	4,478	0	4,478
Public Safety	105,663	0	0	0	206,305	311,968
Regulatory Agencies	0	0	0	0	0	0
Revenue	0	0	3,252	5,306	0	8,558
Transportation	0	0	0	14,835	0	14,835
Treasury	3,351	0	0	0	0	3,351
Vacant - usable	117,995	88,791	0	143	0	206,929
Total Square Footage Billed	759,560	88,791	89,534	35,163	260,237	1,233,285

Revised Cost Allocation Recommendation

Staff recommends that the Committee approve the state agency allocations included in the following table for the Capitol Complex Leased Space common policy.

Capitol Complex Leased Space FY 2026-27 – Revised Recommended Allocation

Department	FY 2025-26 Appropriation	FY 2026-27			Total Adjustment
		Request	Recommended	Difference from Request	
Agriculture	0	0	0	0	0
Corrections	0	0	0	0	0
Early Childhood	0	0	0	0	0
Education	\$1,288,751	\$1,121,946	\$1,329,506	\$207,560	\$40,755
Governor	1,302,538	1,391,666	1,649,074	257,408	346,536
Health Care Policy and Financing	0	0	0	0	0
Higher Education	968,045	945,531	0	-945,531	-968,045
Human Services	1,510,654	1,426,690	1,690,628	263,938	179,974
Judicial	0	0	0	0	0
Labor and Employment	66,105	66,197	78,361	12,164	12,256
Law	0	0	0	0	0
Legislative	2,926,508	3,088,545	3,659,925	571,380	733,417
Local Affairs	993,730	745,599	883,328	137,729	-110,402
Military and Veteran Affairs	60,973	65,144	76,711	11,567	15,738
Natural Resources	939,891	887,651	1,051,866	164,215	111,975
Personnel	2,789,706	2,456,809	2,912,397	455,588	122,691
Public Health and Environment	43,498	45,912	54,160	8,248	10,662
Public Safety	2,441,045	2,334,290	2,764,278	429,988	323,233
Regulatory Agencies	0	0	0	0	0
Revenue	73,921	75,862	89,655	13,793	15,734
State	0	0	0	0	0
Transportation	144,103	152,101	179,425	27,324	35,322
Treasury	70,019	66,127	78,360	12,233	8,341

Department	FY 2025-26 Appropriation	FY 2026-27			Total Adjustment
		Request	Recommended	Difference from Request	
Vacant (allocated to Personnel as GF)	1,226,090	2,329,917	3,878,302	1,548,385	2,652,212
Allocation totals	\$16,845,577	\$17,199,987	\$20,375,976	\$3,175,989	\$3,530,399
<i>Percentage change from prior year</i>					21.0%

The following table outlines the common policy allocation and additional costs paid by the General Assembly.

General Assembly Payments to the Department of Personnel for Maintenance of Legislative Space

Element	Amount
Capitol Complex Leased Space Allocation	\$3,659,925
Capitol Complex Parking	28,800
Conference Center Rental	5,200
Total	\$3,693,925

Conference center rental is billed to agencies by occurrence and not included in capitol complex allocation rates. Rather than pay by occurrence, the General Assembly has agreed to pay for an estimated 26 days of conference center use through its payments to the Department of Personnel for Maintenance of Legislative Space, which will be trued up annually through the capitol complex leased space common policy. Similarly, parking in the Capitol Complex is billed directly to employees parking in the lot; however, the General Assembly pays \$120 per month per space for its 20 parking spaces at the lot through the Maintenance of Legislative Space line item.

Fund Balance Reserve – Vacant Square Footage Offset

The following table outlines the available fund balance to be used to offset the cost of vacant space in the Capitol Complex. For FY 2026-27, staff recommends using \$3.3 million cash funds to offset a portion of the \$3.9 million General Fund required to maintain the vacant space. Under the figure setting methodology, these cash funds would be used to reduce allocated program costs, spreading the saving across the General Fund, cash funds, reappropriated funds, and federal funds. With the revised methodology, this excess cash fund revenue is used to offset General Fund on a 1-to-1 basis.

Capitol Complex Facilities Fund Reserve Analysis

Element	Requested	Recommended [1]
<u>FY 2025-26</u>		
Beginning cash balance	\$8,520,783	\$8,520,783
Revenues	16,845,577	16,845,577
Expenditures	-20,337,013	-20,337,013
Ending cash balance	\$5,029,347	\$5,029,347
<u>FY 2026-27</u>		
Expenditure Base	20,535,161	20,376,374
Targeted operating reserve	8.25%	8.25%
Target reserve	\$1,694,151	\$1,681,051
Reserve adjustment	-\$3,335,196	-\$3,348,296

[1] Figures taken from Schedule 9.

Approving the revised recommendation is estimated to decrease the General Fund required for Capitol Complex leased space by \$533,139 from the FY 2025-26 budget. JBC staff analysts will be directed to work with their

agencies to determine a fund mix that is appropriate and include those adjustments in their Long Bill sections. The following tables estimates the fund splits for the total appropriation and for the incremental adjustment.

Estimated Fund Splits for FY 2026-27 Capitol Complex Leased Space

Fund Type	Estimated Fund Splits based on FY 2026-27 Appropriations	FY 2026-27	
		Estimated Total Fund Splits	Estimated Incremental Fund Splits
General Fund	44.6%	\$9,079,425	-\$533,139
Cash Funds	27.3%	5,570,831	3,513,405
Reappropriated Funds	23.7%	4,836,612	524,651
Federal Funds	4.4%	889,107	25,481
Total Funds	100.0%	\$20,375,976	\$3,530,398

JBC Staff Comeback

Public Health and Environment

JBC Staff: Andrew McLeer, (303-866-4959)

Date: March 17, 2026

Water Quality Improvement Footnote

Staff recommends continuation of the existing footnote for Water Quality Improvement. The Department has indicated that this footnote is for water quality improvement grants to local governments. The footnote has been part of the Long Bill since FY 2016-17, and permits the department to expend grants on multi-year grant projects. The Department has stated that not including the footnote will restrict their ability to provide this grant funding, beginning with the April 2026 RFP process.

Annualization Correction for H.B. 26-1165 (Public Health and Environment Supplemental)

Staff is recommending changes to the approved Vehicle Lease and Environmental Justice Grant Program to annualize one-time actions out of the budget for the Department. These changes yield a net reduction of \$553,240 total funds, including an increase of \$5,340 General Fund. Recommended incremental changes to the approved request are detailed below.

Incremental Changes from Approved Request						
Line Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Environmental Justice Grant Prog.	-\$615,483	\$0	-\$615,483	\$0	\$0	0.0
Vehicle Lease Payments	62,243	5,340	\$51,256	\$5,647	\$0	0.0
Total	-\$553,240	\$5,340	-\$564,227	\$5,647	\$0	0.0

JBC Staff Comeback

IT Capital

JBC Staff: Andrew McLeer, (303-866-4959)

Date: March 17, 2026

JTC Recommendation Correction (Informational)

In the IT Capital figure Setting presentation on March 16, 2026, staff stated that the JTC recommendation list was above the Governor's request by \$2.0 million General Fund. In actuality, the JTC recommendation is \$0.7 million below the Governor's January 2nd request. Staff had identified the reduced figure of \$0.4 million General Fund as the Governor's request for the School Finance Modernization project, while the initial request was for \$3.2 million. The JTC recommendation has repurposed these funds for additional projects, but the total of prioritized JTC recommendations remains below the total General Fund allocation in the January 2nd request. The JTC and Office of State Planning and Budgeting agree that the JTC recommendation is below the Governor's request for General Fund projects, with both parties assuming that these reduced funds could be repurposed. Meanwhile, staff had identified the amendment to the Department of Education request as a budget amendment reducing overall IT capital expenditures.

Eliminate the BEST Assessment for FY 2025-26

Staff recommends eliminating the appropriation for the "Statewide Facility Assessment" project for the Department of Education. The Department has indicated that the approved funding is no longer necessary after signing a contract with a vendor. This will yield cash fund savings of \$1.5 million.

Long Bill Headnotes

Staff recommends changes to headnotes for the 2026 Long Bill, and that the Committee approve these changes to Section 4 headnotes for the information technology projects (IT Capital) section. JBC Staff has collaborated with the Office of Legislative Legal Services to develop the updated headnotes, and requests permission to make technical adjustments if any changes are needed. Proposed headnotes are attached to this document as appendix A.



Appendix A: IT Capital Long Bill Headnotes

Appendix A contains the updated headnotes for the IT Capital section of the Long Bill

SECTION 4. Information technology projects appropriation.

(1) (a) ~~The sums LESSER OF THE AMOUNTS DESCRIBED in this section, or so much thereof as may be~~ THE PORTION OF THOSE AMOUNTS necessary for the purposes specified IN THIS SECTION, are hereby appropriated out of any funds ~~accrued or accruing to~~ IN the information technology account within the capital construction fund THAT ARE not otherwise appropriated and out of the cash funds and federal funds specified for information technology projects at the respective institutions and agencies ~~enumerated~~ IDENTIFIED in this section.

(b) Pursuant to section 24-75-303 (5)(a)(I), ~~Colorado Revised Statutes, C.R.S.,~~ the appropriations made in this section ~~shall become~~ ARE available upon passage and approval of ON THE EFFECTIVE DATE OF this act and, if any appropriated project is initiated within the state fiscal year, ~~the~~ THAT appropriation ~~therefor shall remain~~ IS available until THE EARLIER OF THE completion of the project or for a period of three years, ~~whichever comes first,~~ at which time unexpended and unencumbered balances ~~shall~~ revert to the funds from which they were appropriated.

(c) For purposes of section 20 of article X of the state constitution and pursuant to section 24-75-302 (1)(b), ~~Colorado Revised Statutes, C.R.S.,~~ the unrestricted year-end balance of the capital construction fund for the 1991-92 STATE fiscal year ~~shall constitute~~ CONSTITUTES a reserve. Consequently, any money credited to the capital construction fund ~~constitutes~~ IS a reserve increase and ~~therefore constitutes~~ IS state fiscal year spending, as defined in section 24-77-102 (17)(a), ~~Colorado Revised Statutes, and C.R.S.~~ Any money transferred or expended from the capital construction fund ~~constitutes~~ IS a reserve transfer or expenditure ~~which~~ AND is excluded from state fiscal year spending, as defined in section 24-77-102 (17)(b), ~~Colorado Revised Statutes. C.R.S.~~

(d) Money appropriated in this section from the information technology capital account within the capital construction fund includes ~~sums~~ AMOUNTS transferred BY THE CONTROLLER pursuant to section 24-75-302 (2.3), ~~Colorado Revised Statutes, which sums~~ C.R.S. THESE AMOUNTS TRANSFERRED BY THE CONTROLLER constitute state fiscal year spending as defined in section 24-77-102 (17)(a), ~~Colorado Revised Statutes. C.R.S.~~

(e) Money appropriated in this section from cash funds EXCEPT FOR THE CAPITAL CONSTRUCTION FUND ~~shall constitute~~ IS state fiscal year spending as defined in section 24-77-102 (17)(a), ~~Colorado Revised Statutes. C.R.S.~~

(2) Except as otherwise specifically noted, appropriations from state funds ~~shall be~~ ARE reduced by the amount of any funds received from federal, local, private, or other state sources and not appropriated in this act.

(3) Expenditures of funds appropriated for information technology projects ~~shall~~ MUST be in accord MADE IN ACCORDANCE with section 17-24-111. ~~Colorado Revised Statutes, C.R.S., which requires institutions, agencies, and departments to purchase such goods and services as are produced by the division of correctional industries from said division.~~

(4) An information technology project for which the lowest bid is in excess of the appropriation ~~shall~~ MUST be redesigned to conform to the appropriation.