

**FISCAL NOTE**  
Requested by Legislative Council  
02/18/2011

Amendment to: SB 2309

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill, as amended, declares that the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 violates the US Constitution.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of the amended bill declares that the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 violates the US Constitution and allows that the legislature shall consider enacting legislation to prevent the enforcement of the federal health care reform law.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

If enacted as amended, this bill will not affect current revenue levels but could negate the need for the Insurance Department to receive federal funding in the future to implement the provisions of the federal healthcare reform law if legislation preventing the enforcement of the federal health care reform law is enacted.

The Insurance Department has estimated a combined total of \$34,000,000 in federal grant revenue for the 2011-2013 biennium in the original versions of HB 1126 and SB 2010 related to implementing the provisions of the federal health care reform law.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

If enacted as amended, this bill will not affect current expenditure levels.

The Insurance Department has estimated a combined total of \$35,759,539 in expenditures for the 2011-2013 biennium in the original versions of HB 1126 and SB 2010 related to implementing the provisions of the federal health care reform law. \$34,000,000 of these expenditures would be paid for from federal grants and \$1,759,539 would be paid out of the state Insurance Regulatory Trust fund.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

If enacted as amended, this bill will not affect current appropriation levels but could negate the need for the Department to request additional appropriation authority in the future to implement the provisions of the federal health care reform law if legislation preventing the enforcement of the federal health care reform law is enacted.

The Insurance Department has requested a combined total of \$35,759,539 in additional appropriation authority for the 2011-2013 biennium in the original versions of HB 1126 and SB 2010 related to implementing the provisions of the federal healthcare reform law. The funding breakdown for the estimated appropriation is \$34,000,000 of federal funds and \$1,759,539 of special funds.

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