

  
*Colorado Legislative Council Staff Fiscal Note*  
**STATE**  
**FISCAL IMPACT**

**Drafting Number:** LLS 07-0760  
**Prime Sponsor(s):** Rep. Carroll T.  
 Sen. Gordon

**Date:** April 9, 2007  
**Bill Status:** House Judiciary  
**Fiscal Analyst:** Todd Herreid (303-866-2633)

**TITLE:** CONCERNING THE STUDY OF THE CRIMINAL JUSTICE SYSTEM, AND, IN CONNECTION THEREWITH, CREATING THE COLORADO CRIMINAL AND JUVENILE JUSTICE COMMISSION AND MAKING AN APPROPRIATION.

Fiscal Impact Summary	FY 2007-2008	FY 2008-2009
<b>State Revenue</b> Cash Fund - Colorado Commission on Criminal and Juvenile Justice Cash Fund	Potential increase	
<b>State Expenditures</b> General Fund	\$232,653	\$377,986
<b>FTE Position Change</b>	2.0 FTE	4.0 FTE
<b>Effective Date:</b> Upon the signature of the Governor and only if the General Fund savings identified in SB07-109 exceed the expenditures identified in this note.		
<b>Appropriation Summary for FY 2007-2008:</b> See State Appropriations Section.		
<b>Local Government Impact:</b> None.		

**Summary of Legislation**

This bill creates the Colorado Criminal and Juvenile Justice Commission in the Department of Public Safety (DPS), consisting of the following 24 voting members:

- executive directors of the departments of Public Safety, Corrections, Human Services, and Higher Education;
- the Attorney General, State Public Defender, and chairperson of the Parole Board;
- 4 legislators;
- 3 members appointed by the Chief Justice of the Colorado Supreme Court; and
- 10 members appointed by the Governor.

Non-legislative members of the commission will serve without compensation, but all members may be reimbursed for travel expenses incurred. The commission is charged with conducting research on sentencing policies and practices, alternatives to incarceration, recidivism, and cost-effective crime prevention programs. Each year the commission is required to prepare a report of its findings and recommendations. The Governor will appoint a director of the commission, who will serve at the direction of the executive director of DPS. Finally, DPS, in consultation with the Department of Corrections (DOC), will provide staff support for the commission. The commission is repealed on July 1, 2013.

**State Revenues**

The bill authorizes DPS to accept gifts, grants, and donations to fund the activities of the commission. However, DPS is not required to solicit contributions. Money or in-kind donations will be deposited into the Colorado Commission on Criminal and Juvenile Justice Cash Fund. The fiscal note has not estimated the amount of any donations received.

**State Expenditures**

*Department of Public Safety.* The bill is expected to increase expenditures for DPS by an estimated **\$91,217 in FY 2007-08, \$212,645 in FY 2008-09, and \$206,635 each year** thereafter through FY 2012-13. DPS will provide research staff to assist the commission in conducting an empirical study of sentencing policies and practices, recidivism, and programs to reduce recidivism. Moreover, staff support will be needed to review criminal justice policies and practices in other states, to assist the commission in making recommendations to change the state's criminal justice system, to evaluate the outcomes of commission recommendations, and to prepare an annual report for the General Assembly. It is assumed that research support will begin midway through FY 2007-08. A total of 1.0 FTE statistical analyst will be needed in FY 2007-08, which will increase to 3.0 FTE in the following years. Table 1 provides a breakdown of the department's costs to staff the commission.

<b>Table 1. DPS Expenditures Under HB07-1358</b>		
<b>Cost Components</b>	<b>FY 2007-08</b>	<b>FY 2008-09</b>
Personal Services	\$65,442	\$188,725
FTE	1.0	3.0
Operating Expenses	\$1,170	\$3,510
Capital Outlay	\$3,005	\$6,010
Travel (20 members x 12 meetings x \$60)	\$14,400	\$14,400
Other - Expert Witness Expenses	\$7,200	\$0
<b>TOTAL</b>	<b>\$91,217</b>	<b>\$212,645</b>

*Department of Corrections.* The bill is expected to increase expenditures for DOC by **\$28,080 in FY 2007-08 and \$56,160 each year** thereafter through FY 2012-13. Because DOC will be required to provide research and statistical support for staff at DPS, the bill will generate additional expenditures for the department. It is anticipated that research work will begin in the second half of FY 2007-08 and continue until July 1, 2013 when the commission is repealed. Contract staff equivalent to a 0.5 FTE statistical analyst will be needed in FY 2007-08, which will increase to a full-time analyst in the following years. At an hourly salary of \$27, the cost in FY 2007-08 is estimated at \$28,080, which will increase to \$56,160 in subsequent years.

*Legislative Department.* The bill is expected to increase expenditures for the Legislative Department by **\$1,920 each year**. The fiscal note assumes that legislative members will not receive compensation of \$99 per day when they attend commission meetings outside of the regular or special

session. However, legislative members will be reimbursed for travel expenses, which are estimated to cost \$1,920 for eight meetings during the interim. Travel expenses are based on \$60 per day per member.

**Governor's Office.** The bill is expected to increase expenditures for the Governor's Office by **\$111,436 in FY 2007-08 and \$107,261 each year** thereafter through FY 2012-13. The director of the commission will be appointed by the Governor and paid through the Governor's Office. The annual salary for the position is assumed to cost \$96,000 per year.

### **Expenditures Not Included**

Pursuant to a Joint Budget Committee policy, funding for the items noted below will not be included in fiscal note expenditure estimates. However, indirect costs are calculated for the purpose of identifying the "per applicant" cost of a new or revised fee to reflect the total direct and indirect costs required to support a particular program.

- group health, life and dental insurance
- inflation indices
- amortization equalization disbursements
- supplemental amortization equalization disbursements
- short-term disability
- leased space
- indirect costs

### **State Appropriations**

In FY 2007-08, the following General Fund appropriations will be required:

Department of Corrections: \$28,080;  
Department of Public Safety: \$91,217 and authority for 1.0 FTE;  
Legislative Department: \$1,920; and  
Governor's Office: \$111,436 and authority for 1.0 FTE.

### **Departments Contacted**

Public Safety	Corrections	Law
Human Services	Governor's Office	Judicial

### **Technical and/or Mechanical Problems**

The bill is unclear as to whether legislative members are entitled to receive compensation. The fiscal note assumes that legislators will not be compensated.

In addition, the bill is contingent on General Fund savings identified in SB07-109. To date, SB07-109 will reduce General Fund expenditures by \$1,520,625 in FY 2007-08 and \$1,599,820 in FY 2008-09.