

**FINAL
FISCAL NOTE**

Drafting Number: LLS 11-0681
Prime Sponsor(s): Rep. Nikkel
 Sen. Roberts

Date: July 12, 2011
Bill Status: Signed into Law
Fiscal Analyst: Jessika Shipley (303-866-3528)

TITLE: CONCERNING A REQUIREMENT TO INCLUDE ADDITIONAL INFORMATION IN FISCAL NOTES FOR CERTAIN BILLS RELATED TO CRIMINAL OFFENSES.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures	Minimal increase	
FTE Position Change		
Effective Date: The bill was signed into law by the Governor on March 29, 2011, and takes effect on August 10, 2011, assuming no referendum petition is filed.		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: None.		

Summary of Legislation

The bill requires the fiscal note for bills that create new crimes or change the penalties or elements of an existing crime to include the following information:

- a description of the elements of the new crime or the new, amended, or additional elements of an existing crime;
- an analysis of whether the new or amended crime can be charged under current law;
- a comparison between the proposed crime classification (and associated penalties) and other similar offenses; and
- an analysis of the current and anticipated future prevalence of the criminal behavior addressed by the bill.

Assessment

Legislative Council Staff is required to complete a new section of the fiscal note for these types of bills. The input of the Colorado District Attorneys' Council, the Office of the State Public Defender, the Office of Legislative Legal Services, and other relevant entities will be sought. A survey of criminal bills from 2001 to 2010 shows that an average of 11 bills were introduced each year to which the new analysis would apply. Due to the relatively small number of bills each year, and the fact that the analysis will be part of the existing fiscal note, the bill will be implemented within existing appropriations.

Departments Contacted

Legislative Council

Legislative Legal Services

Public Defender