


Colorado Legislative Council Staff Fiscal Note
FINAL
FISCAL NOTE

Drafting Number: LLS 11-0019
Prime Sponsor(s): Sen. Lambert
 Rep. Balmer

Date: May 16, 2011
Bill Status: Postponed Indefinitely
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TITLE: CONCERNING THE AUTHORITY OF LAW ENFORCEMENT OFFICERS TO ARREST UNLAWFULLY PRESENT ALIENS.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures		
General Fund	\$3,209,211	\$2,224,295
FTE Position Change	26.6 FTE	29.0 FTE
Effective Date: The bill was postponed indefinitely by the Senate State, Veterans and Military Affairs Committee on February 16, 2011.		
Appropriation Summary for FY 2011-2012: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

This bill allows a law enforcement officer to arrest a person without a warrant if the officer has probable cause to believe the person is an alien who:

- is subject to a removal order by an immigration court;
- is subject to a detainer or notice issued by the Department of Homeland Security;
- has been indicted for or convicted of an aggravated felony; or
- has willfully failed to register with the federal government.

State Expenditures

This bill is expected to increase General Fund expenditures by \$3.2 million and 26.6 FTE in FY 2011-12 and \$2.2 million and 29.0 FTE in FY 2012-13 for the Colorado State Patrol in the Department of Public Safety.

Colorado State Patrol, Department of Public Safety. The Colorado State Patrol (CSP) had contact with 458,165 vehicles in CY 2010. Using the assumption that 4 percent of the state's population are undocumented foreign nationals, 4 percent of the contacts made, or 18,326 vehicles, could contain undocumented foreign nationals.

Under the Memorandum of Agreement that the CSP has with the Department of Homeland Security, contacts with undocumented foreign nationals must be processed by specifically certified 287g troopers. The State Patrol Immigration Enforcement Unit (IEU) which includes all currently certified 287g troopers, focuses on trafficking and human smuggling. To expand the workload of 287g certified troopers will require an increase in staffing. Assuming a trooper needs an average of 3 hours to process each of 18,326 additional contacts, the CSP would require 25 additional troopers, 3 sergeants and 1 support staff once fully implemented. New troopers require training, uniforms, supplies, vehicles, computers and software. These costs are detailed in Table 1.

Cost Components	FY 2011-12	FY 2012-13
Personal Services	\$1,597,397	\$1,742,613
FTE	26.6	29.0
Operating Expenses and Capital Outlay	18,253	13,550
Trooper Vehicle Leases and Equipment	1,049,409	389,284
Trooper Uniforms, Supplies, and Equipment	402,248	62,048
Academy Costs	61,208	
Trooper Computer and Software	80,696	16,800
TOTAL	\$3,209,211	\$2,224,295

Expenditures Not Included

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are summarized in Table 2.

Cost Components	FY 2011-12	FY 2012-13
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$188,742	\$205,900
Supplemental Employee Retirement Payments	67,694	87,009
TOTAL	\$256,436	\$292,909

*More information is available at: <http://colorado.gov/fiscalnotes>

State Appropriations

For FY 2011-12, the Department of Public Safety requires a General Fund appropriation of \$3,209,211 and 26.6 FTE.

Departments Contacted

Corrections

Labor and Employment

Public Safety