



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

**Drafting Number:** LLS 11-0526  
**Prime Sponsor(s):** Rep. Todd  
 Sen. King S.

**Date:** January 24, 2011  
**Bill Status:** House SVMA  
**Fiscal Analyst:** Jessika Shipley (303-866-3528)

**TITLE:** CONCERNING THE ADDRESS CONFIDENTIALITY PROGRAM.

<b>Fiscal Impact Summary</b>	<b>FY 2011-2012</b>	<b>FY 2012-2013</b>
<b>State Revenue</b>		
Cash Funds		
Fines Collection Cash Fund	less than \$5,000	less than \$5,000
<b>State Expenditures</b>		
<b>FTE Position Change</b>		
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.		
<b>Appropriation Summary for FY 2011-2012:</b> None required		
<b>Local Government Impact:</b> Minimal		

**Summary of Legislation**

This bill makes it a class 1 misdemeanor to knowingly make available on the Internet the address of, or a legal description of property owned by, a participant in the Address Confidentiality Program in the Secretary of State's Office (program). The prohibition applies only to individuals who are aware that the address or described property belongs to a program participant. Additionally, the bill removes the requirement that the application assistant in the Secretary of State's Office, who assists in the preparation of an application to renew participation in the program, sign and date the renewal application.

**State Revenue**

State law specifies that the fine penalty is \$500 to \$5,000 for a class 1 misdemeanor. Unless otherwise provided by law, the fines are to be deposited in the state Fines Collection Cash Fund for annual appropriations to cover associated administrative and personnel costs. All unexpended balances of the cash fund revert to the state General Fund at the end of each fiscal year. Because the courts have the discretion of imposing incarceration, a fine, or both, the impact to the cash fund and the General Fund cannot be determined.

**State Expenditures**

The bill is likely to increase misdemeanor case filings in county courts, but the total number of new cases is expected to be extremely low. As such, the Judicial Branch will absorb any increased costs using existing appropriations.

**Local Government Impact**

The penalty for a class 1 misdemeanor is 6 to 18 months imprisonment in a county jail, a fine of \$500 to \$5,000, or both. Because the courts have the discretion of imposing incarceration, a fine, or both, the impact at the local level cannot be determined. The cost to house an offender in county jails varies from \$45 to \$50 per day in smaller rural jails to \$62 to \$72 per day for larger Denver-metro area jails. For the current fiscal year, the state reimburses county jails at a daily rate of \$50.44 to house state inmates. It is assumed that the impact of any new misdemeanor convictions will be minimal and will not create the need for additional county jail space.

**Departments Contacted**

Judicial      Secretary of State      Clerks and Recorders