

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING INCREASING THE PENALTY FROM A CLASS 6 FELONY TO A CLASS 5 FELONY FOR SEXUAL EXPLOITATION OF A CHILD BY POSSESSION OF SEXUALLY EXPLOITATIVE MATERIAL.

Prime Sponsors: Reps. Conti and Fields  
Sens. Cooke and Johnston

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**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/15/15.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The Judiciary Committee Report (04/16/15) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

**Amendments in This Packet for Consideration by Appropriations Committee**

<b>Amendment</b>	<b>Description</b>
J.001	Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill requires but does not contain an appropriation clause.

**Description of Amendments in This Packet**

**J.001** Staff has prepared amendment **J.001** (attached), which adds a five year sentencing clause to the bill as required by Section 2-2-703, C.R.S. The clause contains the following statutory appropriations to the Department of Corrections for FY 2015-16 through FY 2019-20. Because the state currently places additional offenders in private prisons and private prisons have substantial excess capacity, the clause does not include an appropriation for capital construction costs.

<b>Fiscal Year</b>	<b>Statutory General Fund Appropriation to the Department of Corrections</b>
FY 2015-16	\$11,034
FY 2016-17	275,849
FY 2017-18	487,701
FY 2018-19	487,701
FY 2019-20	487,701
<b>Total</b>	<b>\$1,749,986</b>

**Points to Consider**

*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2015-16 based on the March 2015 Legislative Council Staff revenue forecast. The budget package allocates a total of \$18.5 million General Fund to be available to fund 2015 legislation. If the full \$18.5 million is not used to fund legislation, it will remain in the General Fund reserve.

*Future Fiscal Impact*

This bill requires General Fund appropriations totaling \$1,738,952 for FY 2016-17 through FY 2019-20.