

**JBC STAFF FISCAL ANALYSIS
SENATE 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, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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.

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

The Judiciary Committee Report (04/16/15) and the Appropriations Committee Report (04/22/15) include 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

Amendment	Description
None	

Current Appropriations Clause in Bill

The bill includes a five year sentencing clause 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.

Fiscal Year	Statutory General Fund Appropriation to the Department of Corrections
FY 2015-16	\$11,034
FY 2016-17	275,849
FY 2017-18	487,701

Fiscal Year	Statutory General Fund Appropriation to the Department of Corrections
FY 2018-19	487,701
FY 2019-20	487,701
Total	\$1,749,986

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.