

Colorado Legislative Council Staff Fiscal Note

**FINAL
FISCAL NOTE**

Drafting Number: LLS 15-0018	Date: September 16, 2015
Prime Sponsor(s): Rep. Lawrence Sen. Newell	Bill Status: Signed into Law
	Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: COMPREHENSIVE SCHOOL DISCIPLINE REPORTING

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	\$86,773	\$82,617
General Fund	73,457	68,754
Centrally Appropriated Costs**	13,316	13,863
FTE Position Change	1.0 FTE	1.0 FTE
Appropriation Required: \$73,457 - Department of Public Safety (FY 2015-16).		

* This summary shows changes from current law under the bill for each fiscal year.

** These costs are not included in the bill's appropriation. See the State Expenditures section for more information.

Summary of Legislation

This bill adds sexual assaults and the unlawful use, possession, or sale of marijuana on school grounds, in a school vehicle, or at a school activity or sanctioned event (referred to herein as school property) to the list of items that must be included in the existing safe school report.

Beginning on August 1, 2015, and continuing each August 1 thereafter, law enforcement agencies are required to report to the Division of Criminal Justice (DCJ) within the Department of Public Safety about student tickets, summons, and arrests on school property. Within the same time frames, each district attorney is required to report to the DCJ information about students who were granted pre-file juvenile or adult diversion for arrests that occurred on school property.

The DCJ is required to compile, analyze, and report data concerning arrests, summons, tickets, and case dispositions for reported incidents. The first report is to be a retroactive report for the 2013-14 and 2014-15 school years. Subsequent reports are to be prepared every year and posted on the DCJ's website, beginning in April 2016.

The bill clarifies that the duties of the bill are only required if existing appropriations or resources are available.

State Expenditures

This bill increases state expenditures by \$86,773 and 1.0 FTE in FY 2015-16 and by \$82,617 and 1.0 FTE in FY 2016-17 and future fiscal years. Costs are summarized in Table 1.

Table 1. Expenditures Under HB15-1273		
Cost Components	FY 2015-16	FY 2016-17
Personal Services	\$67,804	\$67,804
FTE	1.0	1.0
Operating Expenses and Capital Outlay Costs	5,653	950
Centrally Appropriated Costs*	13,316	13,863
TOTAL	\$86,773	\$82,617

* Centrally appropriated costs are not included in the bill's appropriation.

Department of Public Safety. The fiscal note assumes staff will be hired in June 2015. Because of the General Fund pay date shift, no costs are incurred until July 2015. Costs are for 1.0 FTE Statistical Analyst III to determine a process for obtaining and analyzing information and to complete the retroactive report for FY 2013-14 and FY 2014-15. Beginning in FY 2016-17, costs are to track data, conduct training, and prepare the annual reports. First-year costs include standard capital outlay costs of \$4,703.

Centrally appropriated costs. 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 estimated in the fiscal note for informational purposes and summarized in Table 2.

Table 2. Centrally Appropriated Costs Under HB15-1273*		
Cost Components	FY 2015-16	FY 2016-17
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$8,061	\$8,061
Supplemental Employee Retirement Payments	5,255	5,802
TOTAL	\$13,316	\$13,863

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

Local Government Impact

This bill increases workload for local law enforcement agencies and district attorneys' offices to meet the bill's reporting requirements and to respond to follow up inquiries from the DCJ as needed. The fiscal note assumes workload increases will vary by jurisdiction.

School District Impact

All schools and districts will have increased workload to implement the increased reporting requirements under the bill. These reporting requirements are not anticipated to increase school district costs substantially. Pursuant to Section 22-32-143, C.R.S., school districts and Boards of Cooperative Educational Services (BOCES) may submit estimates of fiscal impacts within seven days of a bill's introduction. As of the date of this fiscal note, no summaries of fiscal impacts were submitted by districts or BOCES for this bill. If summaries of fiscal impacts are submitted by districts or BOCES in the future, they will be noted in subsequent revisions to the fiscal note and posted at this address: <http://www.colorado.gov/lcs>

Effective Date

The bill was signed into law by the Governor and took effect on June 5, 2015.

State Appropriations

For FY 2015-16, the Department of Public Safety is appropriated \$73,457 General Fund and allocated 1.0 FTE.

Departmental Difference

The Department of Public Safety identified costs of \$85,713 and 1.0 FTE in FY 2015-16 and \$88,032 and 1.0 FTE in FY 2016-17, excluding centrally appropriated costs. These costs assume that a Statistical Analyst IV position is needed, that the position should be hired at a midrange salary, and that the position is required to travel and conduct training. The fiscal note assumes that the position duties are more closely aligned with the responsibilities of a Statistical Analyst III, that no travel is required, and that any training needs are minimal and can be conducted by the new staff member.

State and Local Government Contacts

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