

State Revenue

Beginning in FY 2015-16, this bill is anticipated to reduce revenue credited to the Fines Collection Cash Fund in the Judicial Department by a minimal amount. The fine penalty for a drug petty offense is \$100. Because cases of possession of drug paraphernalia often accompany more serious felony charges, the fiscal note assumes that any revenue reduction will be minimal.

TABOR Impact

This bill may decrease state revenue by a minimal amount from criminal fines, which will reduce the amount required to be refunded under TABOR.

State Expenditures

Beginning in FY 2015-16, this bill may reduce workload for the trial courts in the Judicial Department. The fiscal note assumes that most cases of possession of drug paraphernalia with residual amounts of a controlled substance present accompany more serious charges, and as such, any reduction in workload is assumed to be minimal.

Local Government Impact

This bill affects revenue, costs, and workload for local governments in two ways.

First, it will reduce revenue, costs, and workload for local law enforcement and district attorneys from not having to make arrests or prosecute certain cases of possession of drug paraphernalia. In addition, to the extent any of these cases are heard in the Denver County Court, which is managed and funded separately from the state court system, workload and costs will decrease for the City and County of Denver. As discussed above, the fine penalty for a drug petty offense is \$100 and the reduction in cases that qualify for the exception created under the bill is assumed to be minimal.

Second, the bill requires clean syringe exchange programs to develop an education program to encourage participants to voluntarily disclose possession of needles to peace officers and to inform them of the rights created under the bill. These programs are operated by or contracted for by units of local government and, as such, will result in a minimal increase in workload for these entities to create the education program.

Effective Date

The bill takes effect and applies to offenses committed on or after July 1, 2015.

State and Local Government Contacts

Counties	District Attorneys	Judicial
Municipalities	Sheriffs	