

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING CHANGES TO CRIMES RELATED TO UNLAWFUL TREATMENT OF PERSONS TO ALIGN WITH SIMILAR LAW PROVISIONS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Prime Sponsors: Representative Lambert
Senator Schultheis

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Date Prepared: March 30, 2009

Summary of Amendments Made to the Bill After the 03/04/09 Legislative Council Staff Revised Fiscal Note Was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs Does Not Concur Updated Analysis

Amendments/Appropriation Status

The bill neither requires nor contains an appropriation clause for FY 2009-10. Although the bill increases the penalty for trafficking in children from a class 3 felony to a class 2 felony, any additional fiscal impact will occur after the five-year statutory sentencing period required by Section 2-2-703, C.R.S. This is because the average length of stay for a class 3 felony is 77 months; therefore, any fiscal impact will occur after at least 77 months, or approximately 6 years.

Bill Sponsor Amendments

Staff is not aware of any sponsor amendments to be offered.

Points to Consider

1. The bill increases the penalty for trafficking in children from a class 3 felony to a class 2 felony. As such, the bill increases the length of stay for such an offense from 77 months to 184 months. Therefore, although there is not a fiscal impact associated with the bill within a five-year period, there will likely be a fiscal impact beyond year six due to the increased length of stay.