

**STATE
FISCAL IMPACT**

Drafting Number: LLS 09-0275
Prime Sponsor(s): Sen. Morse
 Rep. McCann

Date: February 2, 2009
Bill Status: Senate Judiciary
Fiscal Analyst: Sara McPhee (303-866-4782)

TITLE: CONCERNING FUNDING TO SUPPORT DOMESTIC ABUSE SERVICES, AND, IN CONNECTION THEREWITH, ALLOCATING A PORTION OF THE FUNDING TO ASSIST MILITARY MEMBERS AND THEIR FAMILIES.

Fiscal Impact Summary	FY 2009-2010	FY 2010-2011
State Revenue		
Cash Funds		
Colorado Domestic Abuse Cash Fund	\$843,430	\$843,430
Family Violence Justice Cash Fund	\$143,430	\$143,430
State Expenditures		
Cash Funds		
Colorado Domestic Abuse Cash Fund	\$843,430	\$843,430
Family Violence Justice Cash Fund	\$143,430	\$143,430
FTE Position Change	0.7 FTE	0.7 FTE
Effective Date: August 4, 2009, assuming the General Assembly adjourns Sine Die on May 6, 2009, and a referendum petition is not filed.		
Appropriation Summary for FY 2009-2010: See Appropriations section of fiscal note.		
Local Government Impact: See Local Government impact section.		

Summary of Legislation

This bill increases the fees for petitions and responses in divorce proceedings by \$10 each (from \$220 and \$106 respectively) and specifies that \$5 each shall be deposited in the Colorado Domestic Abuse Program Fund and the Family Violence Justice Fund. In addition, the bill increases the marriage license fee by \$20 and specifies that the money shall be deposited into the Colorado Domestic Abuse Program Fund. Fifty percent of the moneys collected are to be used for grants to organizations that provide services to current and former members of the military and their families.

Background. The Colorado Domestic Abuse Fund, administered in the Department of Human Services, and the Family Violence Justice Fund, administered by the Office of the State Court Administrator, were created by the General Assembly to combat domestic violence. The Colorado Domestic Abuse Fund administers grants to local governments and nonprofit organizations to provide counseling, advocacy, and educational programs to victims of domestic violence. The fund receives money from voluntary contributions on income tax returns, money appropriated from

the General Fund, and money from the federal Temporary Assistance for Needy Families (TANF) Block Grant. In Fiscal Year 2008-09, the fund received approximately \$985,000. In addition, the Department of Human Services received \$1,400,000 from the federal Family Violence Prevention Services Act for a total of \$2,385,000 to fund domestic violence prevention services in Colorado.

The Family Justice Violence Fund provides grants to local organizations that offer legal advice to indigent people who are victims of domestic violence. Grants are administered to organizations for each county or city in the state based on the proportion of people living below the poverty line in each locality. The fund receives a General Fund appropriation plus any gifts, grants, or donations. In Fiscal Year 2008-09, the fund received \$500,000 from the General Fund.

State Revenue

The bill increases the fees for marriage licenses as well as the filing fee for a petition and response in a dissolution of marriage with an estimated revenue increase of \$986,860 for FY 2009-10. In Fiscal Year 2008-09, approximately 21,000 people will file a petition for divorce and 7,000 people will file a response petition. In addition, approximately 35,000 couples obtained a marriage license in FY 2007-08.

Section 2-2-322, C.R.S., requires legislative service agency review of measures which create or increase any fee collected by a state agency. The table below identifies the fee impact of this bill.

Table 1. Fee Impact on Individuals, Families or Business					
Type of Fee	Current Fee	Proposed Fee	Fee Change	Number Affected	Total Fee Impact
Marriage license	\$10	\$30	\$20	35,000	\$700,000
Divorce petition	\$220	\$230	\$10	21,649	216,490
Divorce response	\$106	\$116	\$10	7,037	70,370
TOTAL					\$986,860

The fee increases will be allocated between the Colorado Domestic Abuse Fund and the Family Violence Justice Fund. The Colorado Domestic Abuse Fund will receive 100 percent of the increase in the marriage license fee and 50 percent of the increase in the divorce petition and response fees for a total of \$843,430. The Family Violence Justice Fund will receive the remaining 50 percent increase in the divorce petition and response fees for a total of \$143,430.

State Expenditures

This bill increases expenditures by \$986,860 and 0.7 FTE for FY 2009-10 and FY 2010-11. Costs are incurred both by the Judicial Branch and the Department of Human Services.

Judicial Branch. The State Court Administrator's Office administers the Family Violence Justice Fund Grant Program. Under the bill, the fund is expected to receive \$143,430 which will be used to provide additional grants to local organizations that offer legal advice to victims of domestic violence. The bill requires that the funds be used to assist victims of domestic violence who are married, separated, or divorced. Since a large number of the clients served already fit this requirement, it is not expected to increase the office's workload.

Department of Human Services. The Department of Human Services administers the Colorado Domestic Abuse Fund. Under the bill, the fund is expected to receive \$843,430 which will be used to provide grants to local organizations to provide counseling, advocacy, and educational programs to victims of domestic violence. Currently, the department has 2.0 FTE and receives approximately \$2,385,000 to fund 44 domestic violence programs.

With the additional funding, the department expects to increase the number of programs funded to 52, and the average grant award. The bill specifies that, if possible, 50 percent of the funding shall be used for programs targeted to members of the military, veterans, or their families. In order to provide the necessary administration and oversight of these grants, the department will require \$45,838 and an additional 0.7 FTE for personal services, operating expenses, and travel. Travel costs are necessary for the staff to monitor the programs that receive funding. The remaining \$791,737 will be used to provide grants to local organizations for domestic violence programs. Specific costs for the department are outlined in Table 2.

Cost Components	FY 2009-10	FY 2010-11
Personal Services	\$36,513	\$36,513
FTE	0.7	0.7
Operating Expenses	4,325	665
Travel	5,000	5,000
Grants	791,737	795,102
TOTAL	\$837,575	\$837,280

Expenditures Not Included

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 summarized in Table 3.

Table 3. Expenditures Not Included Under SB 09-068*		
Cost Components	FY 2009-10	FY 2010-11
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$4,792	\$4,792
Supplemental Employee Retirement Payments	1,063	1,358
TOTAL	\$5,855	\$6,150

**More information is available at: http://www.state.co.us/gov_dir/leg_dir/lcsstaff/2009/comsched/CommonPolicies2009.pdf*

Local Government Impact

County clerks regularly collect and remit revenue to state departments. While county clerks retain \$7 of each marriage license fee for processing and administrative costs, county clerks indicate that this does not cover the costs related to issuing and maintaining the licenses. Adding additional responsibilities related to the issuance of marriage licenses increases the likelihood that the county clerks' share of the fee may have to be adjusted in the future to more accurately reflect their costs.

State Appropriations

For FY 2009-10, the Judicial Branch requires an appropriation of \$143,430 from the Family Violence Cash Fund. The Department of Human Services requires an appropriation of \$843,430 and 0.7 FTE from the Colorado Domestic Abuse Cash Fund.

Departments Contacted

Human Services
 Military Affairs

Judicial
 Revenue

Local Affairs
 Treasury