


Colorado Legislative Council Staff Fiscal Note
STATE and LOCAL
FINAL FISCAL IMPACT
(replaces fiscal note dated January 12, 2007)

Drafting Number: LLS 07-0206
Prime Sponsor(s): Rep. Hodge

Date: March 15, 2007
Bill Status: Postponed Indefinitely
Fiscal Analyst: Marc Carey (303-866-4102)

TITLE: CONCERNING A PROHIBITION ON REQUIRING AN INDIVIDUAL TO BE IMPLANTED WITH A MICROCHIP.

Fiscal Impact Summary	FY 2007-08	FY 2008-09
State Revenue		
Cash Funds - Fines Collection Cash Fund	<\$5,000	<\$5,000
State Expenditures	\$0	\$0
FTE Position Change	0.0 FTE	0.0 FTE
Effective Date: The bill was postponed indefinitely by the House Judiciary Committee on January 23, 2007.		
Local Government Impact: See Local Government Impact Section.		

Summary of Legislation

This bill prohibits a person from requiring an individual to be implanted with a microchip. Any violation of this prohibition would be a class 3 misdemeanor, punishable by six months imprisonment in a county jail, a fine of \$50 to \$750, or both.

State Revenues

Per Section 18-1.3-501, C.R.S., the penalty for a class 3 misdemeanor is six months imprisonment in a county jail, a fine of \$50 to \$750, or both. Fine revenue not otherwise appropriated is deposited into the Fines Collection Cash Fund. Because the courts have the discretion of incarceration or imposing a fine, the impact to state revenue cannot be determined. However, a minimal amount of fine revenue (< \$5,000 per year) is assumed under the bill.

State Expenditures

Judicial Branch. The bill creates a new class 3 misdemeanor for requiring an individual to be implanted with a microchip. While this new cause of action could create additional filings, the number of additional cases is expected to be relatively low and absorbable within existing resources.

Local Government Impact

The penalty for a class 3 misdemeanor is six months imprisonment in a county jail, a fine of \$50 to \$750, or both. Because the courts have the discretion of incarceration or imposing a fine, the impact at the local level cannot be determined. The cost to house an offender in county jails varies from \$45 to \$50 per day in smaller rural jails to \$62 to \$65 per day for larger Denver-metro area jails. For the current fiscal year, the state reimburses county jails a daily rate of \$48.96 to house state inmates. It is assumed that the impact of this new misdemeanor will be minimal and will not create the need for additional county jail space.

Departments Contacted

Judicial