

Colorado Legislative Council Staff Fiscal Note

**STATE and LOCAL
REVISED FISCAL IMPACT**

(replaces fiscal note dated February 15, 2007)

Drafting Number: LLS 07-0715

Date: April 24, 2007

Prime Sponsor(s): Rep. King

Bill Status: House Judiciary

Fiscal Analyst: Todd Herreid (303-866-2633)

TITLE: CONCERNING CHILD ABUSE INVOLVING SELLING DRUGS WITH KNOWLEDGE THAT A CHILD IS PRESENT.

Fiscal Impact Summary	FY 2007-2008	FY 2008-2009
State Revenue		
Cash Fund - Fines Collection Cash Fund	Potential increase	Potential increase
State Expenditures		
Cash Fund	\$0	\$0
FTE Position Change	0.0 FTE	0.0 FTE
Effective Date: July 1, 2007; applies to offenses committed on or after that date.		
Appropriation Summary for FY 2007-2008: None required.		
Local Government Impact: Potential increase in county jail costs.		

Summary of Legislation

This engrossed bill makes it child abuse to sell drugs in the presence of a child. The bill, *as amended by the House Appropriations Committee on April 12, 2007*, makes this punishable as a Class 1 misdemeanor.

State Revenue

Under current law, the courts can impose a fine of \$500 to \$5,000 for Class 1 misdemeanors. The bill may generate additional fine revenue to the degree that additional fines are imposed for this child abuse offense. A minimal increase in fine revenue is anticipated.

State Expenditures

The engrossed bill reduces the penalty for this new form of child abuse from a Class 3 felony to a Class 1 misdemeanor. Because misdemeanors cannot be sentenced to the Department of Corrections (DOC), the amended bill does not create any additional costs for DOC. In addition, the reduced penalty does not create any additional costs for the Public Defender's Office.

Local Government Impact

Because the bill creates a new Class 1 misdemeanor, county jails may see an increase in admissions. The penalty for a Class 1 misdemeanor can include 6 to 18 months of imprisonment. To the degree that new convictions are generated by this offense and sentenced to county jails, local governments will see an increase in costs. The fiscal note has not estimated the magnitude of this impact.

Departments Contacted

Judicial
Public Safety

Corrections
Human Services