

JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE

CONCERNING RETALIATION AGAINST A JUDGE, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Prime Representative Liston
Sponsors: Senator Renfroe

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Prepared:

Summary of Amendments Made to the Bill After the 02/15/08 Legislative Council Staff Revised Fiscal Note Was Prepared (Amended by the House Appropriations Committee (03/07/08), by the House on Second Reading (03/12/08), and by the Senate Judiciary Committee 04/07/08)

- The House Appropriations Committee added an appropriations clause consistent with the February 15, 2008 Legislative Council Staff Revised Fiscal Note.
- The House, on second reading, made various technical adjustments to clarify the definition of "retaliation against a judge".
- The Senate Judiciary Committee made further adjustments to clarify that retaliation must be associated with a "credible" threat.

None of the amendments affect the fiscal impact of the bill as reflected in the February 15, 2008 Legislative Council Staff Revised Fiscal Note. Legislative Council Staff concurs with this analysis.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

XXX Concurs

Does Not Concur

Updated Analysis

Amendments/Appropriation Status

Pursuant to Section 2-2-703, C.R.S., this bill includes a five-year appropriation clause because it results in a net increase in periods of imprisonment in state correctional facilities. Specifically, the bill makes the following appropriations, consistent with the February 15, 2008, Legislative Council Staff Revised Fiscal Note:

Appropriations and Transfers in H.B. 08-1115				
Fiscal Year	Transfer From the General Fund to Capital Construction Fund	Appropriation From the Capital Construction Fund to the Corrections Expansion Reserve Fund	Appropriation From the General Fund to the Department of Corrections	Total General Fund Appropriation/Transfer
FY 2008-09	\$125,165	\$125,165	\$0	\$125,165
FY 2009-10	0	0	28,758	28,758
FY 2010-11	112,649	112,649	28,758	141,407
FY 2011-12	0	0	54,640	54,640
FY 2012-13	112,649	112,649	28,758	141,407
Total	\$350,463	\$350,463	\$140,914	\$491,377

Bill Sponsor Amendments

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

Points to Consider

1. This bill requires \$140,914 in statutory appropriations from the General Fund to the Department of Corrections from FY 2009-10 through FY 2012-13. These appropriations are subject to the six percent limit on General Fund appropriations, and thus reduce the amount of funds available for other purposes.
2. This bill requires a transfer of \$125,165 General Fund to the Capital Construction Fund in FY 2008-09. Transfers are not subject to the six percent statutory limit on General Fund appropriations. However, based on the March 2008, Legislative Council Staff revenue forecast, this transfer would reduce the \$175.6 million General Fund projected to be transferred to the Highway Users Tax Fund (pursuant to S.B. 97-001) in FY 2008-09.