

JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE

CONCERNING MEASURES BY EXECUTIVE BRANCH AGENCIES TO REDUCE THE INCIDENTS OF DRUNK DRIVING, AND, IN CONNECTION THEREWITH, EXTENDING THE LENGTH OF SUSPENSION OF DRIVING PRIVILEGES FOR CERTAIN OFFENDERS, REQUIRING CERTAIN OFFENDERS TO USE AN IGNITION INTERLOCK DEVICE, INCREASING THE COST TO REINSTATE A DRIVER'S LICENSE, AND PROVIDING FOR HIGH-VISIBILITY DRUNK DRIVING LAW ENFORCEMENT EPISODES.

Prime Representative Judd
Sponsors: Senator Veiga

JBC Analyst: David Meng
Phone: 303-866-2061
Date: March 12, 2008
Prepared:

Summary of Amendments Made to the Bill After the 03/10/2008
Legislative Council Staff Revised Fiscal Note Was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

XXX Concurs Does Not Concur Updated Analysis

Amendments/Appropriation Status

The bill requires an appropriations clause. Staff has prepared amendment J.001(attached) to add provisions appropriating \$2.0 million from the First Time Drunk Driving Offender Account to the Department of Transportation to fund additional high visibility drunk driving enforcement episodes, and appropriating \$614,500 and 4.5 FTE from the First Time Drunk Driving Offender Account to the Department of Revenue for implementation of the bill.

In addition, pursuant to Section 2-2-703, C.R.S., this amendment includes a five-year appropriation clause because it results in a net increase in periods of imprisonment in state correctional facilities. Specifically, the amendment makes the following appropriations related to the Department of Corrections:

Amendment J.001 Appropriations Related to the Department of Corrections				
Fiscal Year	From the General Fund to Capital Construction Fund	From the Capital Construction Fund to the Corrections Expansion Reserve Fund	From the General Fund to the Department of Corrections	Total Appropriation
FY 2008-09	\$125,165	\$125,165	\$0	\$125,165
FY 2009-10	12,517	12,517	28,758	41,275
FY 2010-11	0	0	31,634	31,634
FY 2011-12	0	0	31,634	31,634
FY 2012-13	0	0	31,634	31,634
Total	137,682	137,682	123,660	261,342

The Department of Revenue does not require an appropriation of \$20,142 cash funds for computer programming costs as identified in the Legislative Council Staff Revised Fiscal Note date March 10, 2008, because the Long Bill includes an appropriation for the Department of Revenue to implement legislation that requires computer programming hours. Programming costs in the Department of Revenue to implement session legislation are shown in the Long Bill line item entitled "Programming Costs for 2008 Session Legislation."

Bill Sponsor Amendments

Sponsor amendment L.007 (attached) reduces the fee for restoring the drivers license from \$130 to \$95, and reduces the amount of the fee transmitted to the Driver' License Administrative Revocation Account in the Highway Users Tax Fund from \$95 to \$60. The bill as introduced had increased this fee from \$60 to \$130, with half of the increase going to the Driver's License Administrative Revocation Account and half the increase going to the newly created First Time Drunk Driving Offender Account.

The entire amount of the increased fee will now be credited to the First Time Drunk Driving Offender Account, which is created in the bill as an account in the Highway Users Tax Fund. The effect of the amendment is to reduce the expected increase in fee revenue to the State for FY 2008-09 from \$5,229,000 to \$2,614,500, which will be credited to the First Time Drunk Driving Offender Account. Additional fee revenue to the State in FY 2009-10 will be reduced from \$6,300,000 to \$3,150,000. The amendment will strike the extra revenue originally dedicated to the Driver's License Administrative Revocation Account in the Highway Users Tax Fund.

Whether or not L.007 is adopted, J.001 should be adopted.

Points to Consider

1. The bill is expected to create one additional prison admission per year, which will require a transfer of \$125,165 from the General Fund to the Capital Construction Fund, which is then transferred to the Corrections Expansion Reserve Fund. The five year impact of the one additional admission is \$123,659 General Fund for operating costs.
2. The bill would require a transfer of \$125,165 from the General Fund to the Capital Construction Fund, which would reduce the amount of funds available for the H.B. 02-1310 transfer to the Capital Construction Fund and Highway Users Tax Fund (HUTF) and for the S.B. 97-1 transfer to the HUTF. For FY 2008-09, the reductions amount to \$83,485 from the HUTF and \$41,680 to the Capital Construction Fund.