

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING MISDEMEANOR PENALTIES FOR PERSONS WHO ARE CONVICTED OF MULTIPLE TRAFFIC OFFENSES INVOLVING ALCOHOL OR DRUGS.

Prime Sponsors: Representative Levy
Senator Morse

JBC Analyst: Carolyn Kampman
Phone: 303-866-2061
Date Prepared: April 6, 2010

Summary of Amendments Made to the Bill After the 04/01/10 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 but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision **appropriating \$438,518 General Fund and 7.3 FTE** to the Judicial Department for FY 2010-11 for probation personnel and operating expenditures, consistent with the Legislative Council Staff Fiscal Note.

In addition, as described on page three of the Fiscal Note, the bill increases revenues to the Persistent Drunk Driver Cash Fund. The bill authorizes the appropriation of moneys in this fund to the Judicial Department to assist in providing: court-ordered alcohol treatment programs for indigent and incarcerated offenders, approved ignition interlock devices for indigent offenders, and continuous monitoring technology or devices for indigent offenders. If the General Assembly intends to appropriate the additional revenues made available through the bill to the Judicial Department for such purposes, the Committee should adopt amendment **J.002**. This amendment adds a provision **appropriating to the Judicial Department for FY 2010-11 \$438,518 General Fund and 7.3 FTE for probation personnel and operating expenses and \$249,750 cash funds from the Persistent Drunk Driver Cash Fund** for the provision of treatment programs, ignition interlock devices, and continuous monitoring technology or devices for indigent and incarcerated offenders.

The Committee should adopt J.001 or J.002, but not both.

Bill Sponsor Amendments

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

Points to Consider

The Joint Budget Committee has introduced a balanced budget package for FY 2010-11 based on the March 2010 Legislative Council Staff forecast. This bill requires a General Fund appropriation of \$438,518 for FY 2010-11, thereby decreasing the fiscal year-end General Fund reserve by \$438,518.