



Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 10-0874
Prime Sponsor(s): Sen. Mitchell

Date: February 13, 2010
Bill Status: Senate Judiciary
Fiscal Analyst: Jessika Shipley (303-866-3528)

TITLE: CONCERNING HUMAN TRAFFICKING.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2010-2011: None required.		
Local Government Impact: None.		

Summary of Legislation

This bill repeals and relocates, with amendments, statutory provisions related to trafficking in adults, trafficking in children, and coercion of involuntary servitude. Proof of force, fraud or coercion is required for trafficking in adults or children, while proof of force or fraud is required for coercion of involuntary servitude. All three offenses are added to the definition of "racketeering activity" under the Colorado Organized Crime Control Act.

State Revenue

Racketeering activities constitute a class 2 felony, punishable by 8 to 24 years in prison, a fine of \$5,000 to \$1,000,000, or both. In addition, those convicted of racketeering activities shall be fined no more than \$25,000 and forfeit to the state any interest acquired or maintained as a result of organized crime activities. Historically, the number of cases filed related to trafficking in adults or children and coercion of involuntary servitude have been extremely low. At this time, no new revenue is expected; however new convictions could generate significant new state revenue.

State Expenditures

The crime of trafficking in children was created in 1977. Since that time, only three offenders have been sentenced to the Department of Corrections (DOC) for that offense. The crimes of trafficking in adults and coercion of involuntary servitude were established in 2006. The DOC

has never had an admission for either of those crimes. Between FY 2008-09 and FY 2009-10, only one case has been filed in which any of the three crimes has been charged. Due to the low number of cases involving these three offenses, it is expected that the costs of any new cases will be absorbed using existing resources. However, in the event that significantly more cases are filed as a result of the bill, the DOC, the Judicial Department, the Office of the State Public Defender, and the Office of the Alternate Defense Counsel could see increased expenditures, which would be addressed during the annual budget process.

Departments Contacted

Alternate Defense Counsel
Judicial

Corrections
State Public Defender