

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING PAROLE.

Prime Sponsors: Representative Ferrandino
Senator Penry

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Summary of Amendments Made to the Bill After the 04/09/10 Legislative Council Staff Revised Fiscal Note Was Prepared (Amended by the House Judiciary Committee 04/15/10, the House Appropriations Committee 04/23/10, and the House on Second Reading 04/27/10)

The House Judiciary Committee Report clarifies that parolees are under the legal custody of the Department of Corrections and may be returned to prison at any time.

The House Appropriations Committee Report added an appropriation clause. For a description of the appropriations, see the "Amendments/Appropriation Status" section below.

The Senate on second reading adopted amendments that:

- add the factor of whether an offender completed or worked towards completing a high school diploma, general equivalency degree, or college degree during his or her period of incarceration to the list of factors that the Parole Board is to consider when determining whether an offender is appropriate for parole;
- make a technical drafting change to the bill in order for portions of the bill to be effective based on the passage of H.B. 10-1364 (Sunset Sex Offender Management Board);
- make Section 1 of the bill effective only if H.B. 10-1364 does not becomes law; and
- make Section 2 of the bill effective only if H.B. 10-1364 does become law.

These amendments do not affect the fiscal impact of the bill.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs **Does Not Concur** **Updated Analysis**

Amendments/Appropriation Status

The bill contains an appropriation clause reducing General Fund appropriations for FY 2010-11 by \$114,127 and appropriating those savings to the Department of Public Safety, Division of Criminal Justice for ongoing costs associated with the Colorado Criminal and Juvenile Justice Commission, for a net \$0 General Fund impact. Specifically, this provision appropriates \$353,786 General Fund

and 7.9 FTE to the Department of Corrections for additional research and parole staff, \$80,154 General Fund and 0.7 FTE to the Department of Public Safety for parole guideline duties and an actuarial consultant, and \$114,127 General Fund to the Department of Public Safety for costs associated with the Colorado Criminal and Juvenile Justice Commission. This provision also reduces General Fund appropriations to the Department of Corrections for payments to house state prisoners by \$548,067.

Bill Sponsor Amendments

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

Points to Consider

None.