

STATE
CONDITIONAL FISCAL IMPACT

Drafting Number: LLS 10-0024

Date: February 22, 2010

Prime Sponsor(s): Rep. Looper
Sen. King K.

Bill Status: House Judiciary

Fiscal Analyst: Sara McPhee (303-866-4782)

TITLE: CONCERNING A PROHIBITION ON THE TRANSFER OF DETAINEES FROM THE GUANTANAMO BAY DETENTION FACILITY TO A CORRECTIONAL FACILITY IN THE STATE OF COLORADO.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
State Expenditures		
General Fund	\$24,120	\$24,120
FTE Position Change	0.2 FTE	0.2 FTE
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

Concerning prisoners from Guantanamo Bay, the bill requires the Attorney General to oppose their placement in a federal or state correctional facility located in Colorado, or their relocation to the state for purposes of trying them in a federal court. The state is also prohibited from providing resources or selling or leasing space in a state correctional facility to the federal Bureau of Prisons if a prisoner from Guantanamo is placed here

State Expenditures

If the federal government places a prisoner from Guantanamo Bay in Colorado, the bill will increase General Fund expenditures in the Department of Law by \$24,120 and 0.2 FTE. The fiscal note assumes that in order to effectively oppose the placement of a prisoner in Colorado, the Attorney General will need to sue the federal government. Past efforts to sue the federal government have required about 320 hours of legal time and similar costs. These costs are conditional because it is not known if or when the federal government may attempt to place a prisoner from Guantanamo Bay in Colorado.

State Appropriations

This bill does not require an appropriations clause. It is not possible to determine if or when the federal government might place a prisoner in Colorado; the fiscal note assumes that the Department of Law will request the required resources if and when it becomes necessary.

Departments Contacted

Law Corrections