

**STATE  
FISCAL IMPACT**

**Drafting Number:** LLS 11-0681  
**Prime Sponsor(s):** Rep. Nikkel  
 Sen. Roberts

**Date:** February 18, 2011  
**Bill Status:** House Judiciary  
**Fiscal Analyst:** Jessika Shipley (303-866-3528)

**TITLE:** CONCERNING A REQUIREMENT TO INCLUDE ADDITIONAL INFORMATION IN FISCAL NOTES FOR CERTAIN BILLS RELATED TO CRIMINAL OFFENSES.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures	Minimal increase	
FTE Position Change		
<b>Effective Date:</b> August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed.		
<b>Appropriation Summary for FY 2011-2012:</b> None required.		
<b>Local Government Impact:</b> None.		

**Summary of Legislation**

This bill requires the fiscal note for bills that create new crimes or change the penalties or elements of an existing crime to include the following information:

- a description of the elements of the new crime or the new, amended, or additional elements of an existing crime;
- an analysis of whether the new or amended crime can be charged under current law;
- a comparison between the proposed crime classification (and associated penalties) and other similar offenses; and
- an analysis of the current and anticipated future prevalence of the criminal behavior addressed by the bill.

**Assessment**

Legislative Council Staff is required to complete a new section of the fiscal note for these types of bills. The input of the Colorado District Attorneys' Council, the Office of the State Public Defender, the Office of Legislative Legal Services, and other relevant entities will be sought. A survey of criminal bills from 2001 to 2010 shows that an average of 11 bills were introduced each year to which the new analysis would apply. Due to the relatively small number of bills each year, and the fact that the analysis will be part of the existing fiscal note, the bill can be implemented within existing appropriations.

**Departments Contacted**

Legislative Council

Legislative Legal Services

Public Defender