


Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 11-0386
Prime Sponsor(s): Rep. Riesberg

Date: January 31, 2011
Bill Status: House Finance
Fiscal Analyst: Alex Schatz (303-866-4375)

TITLE: CONCERNING TIME PAYMENT FEES IN JUDICIAL MATTERS.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
Cash Funds		
Judicial Collection Enhancement Fund	\$ 323,000	\$ 663,750
State Expenditures		
FTE Position Change		
Effective Date: July 1, 2011.		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: None.		

Summary of Legislation

Under current law, the Judicial Branch imposes and collects a time payment fee, credited to the Judicial Collection Enhancement Fund, when fees, costs, and fines assessed in the judicial process are not paid in full on the date of assessment. The bill clarifies the applicability of time payment fees to all criminal cases, including traffic infractions, petty offenses and cases involving the payment of restitution. The bill provides for annual reassessment of the time payment fee if payments have not been satisfied within one year after the initial assessment.

State Revenue

The Judicial Branch will collect a total of \$323,000 in cash fund revenue to the Judicial Collection Enhancement Fund in FY 2011-12 and \$663,750 to the fund in subsequent fiscal years. In the first year of the bill's effect, an estimated 29,750 cases will be subject to the \$25 time payment fee to establish a payment schedule, generating \$297,500 in revenue. Additionally, a late penalty of \$10 will apply to 8,500 tardy payments over the course of the fiscal year. In subsequent fiscal years, additional revenue is generated by settlement of prior time payment fees and penalties, as well as reassessment of the time penalty fee on annual basis for payment schedules extending more than one year.

The fiscal note assumes that the Judicial Branch will receive approximately 40 percent of payments and 30 percent of penalties in the same year they are assessed, consistent with the current collection rate. The current rate of indigence, at 15 percent of overall infractions, is also assumed in this fiscal note. The addition of traffic infractions to law concerning time payment fees generates new state revenue; additional revenues from other offenses and late restitution payments are not estimated due to the relatively small number of such cases affected by this bill.

Departments Contacted

Law Judicial Corrections Public Safety