

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING DISCIPLINARY MEASURES IN PUBLIC SCHOOLS.

Prime Sponsors: Sens. Newell and Hudak
Reps. Nikkel and Levy

JBC Analyst: Craig Harper
Phone: 303-866-2061
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Summary of Amendments Made to the Bill After the 04/20/12 Legislative Council Staff Revised Fiscal Note Was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

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

Amendments/Appropriation Status

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$192,174 General Fund and 2.5 FTE in FY 2012-13, including: (1) \$152,174 General Fund and 2.5 FTE to the Division of Criminal Justice in the Department of Public Safety and (2) \$40,000 General Fund to the Peace Officers Standards and Training (P.O.S.T.) Board in the Department of Law.

Bill Sponsor Amendments

Sponsor amendment **L.037** (attached) makes several changes to the bill. With respect to the fiscal impact, the amendment changes the roles of the Division of Criminal Justice (DCJ) and the Department of Law under the bill:

- As amended by the Senate Education Committee, the bill requires the DCJ to report annually to the Colorado Commission on Criminal and Juvenile Justice based on data submitted by School Resource Officers (SROs), schools, school districts, law enforcement agencies, and district attorneys under the bill. The bill also requires the DCJ to make such data available to local boards of education. Amendment L.037 eliminates the requirement to report to the Commission and eliminates the requirement to make data available to local boards of education. The amendment does require the DCJ to make reported data available to the public upon request but does not require any process other than providing the raw data. Legislative Council Staff and JBC Staff agree that the amendment reduces the fiscal impact of the bill for DCJ from \$152,174 General Fund and 2.5 FTE (as identified in the Revised Fiscal Note) to \$4,000 General Fund and 0.1 FTE in FY 2012-13.

- As amended by the Senate Education Committee, the bill requires the P.O.S.T. Board within the Department of Law to provide a training curriculum for SROs, which the Revised Fiscal Note estimates would require \$40,000 General Fund in FY 2012-13. Amendment L.037 eliminates this requirement and requires the P.O.S.T. Board to "identify" a curriculum for use by law enforcement agencies, incorporating the input of stakeholders. Legislative Council Staff and JBC Staff agree that this change eliminates the need for an appropriation to the Department of Law in FY 2012-13.

Staff has prepared amendment **J.002** (attached) to add a provision appropriating \$4,000 General Fund and 0.1 FTE to the Division of Criminal Justice within the Department of Public Safety in FY 2012-13. If the Committee adopts amendment L.037, it should adopt J.002 but should NOT adopt J.001.

Amendment L.037 also makes other technical changes to the bill that Legislative Council Staff and JBC Staff agree do not change the fiscal impact of the bill.

Points to Consider

The Joint Budget Committee has introduced a balanced budget package for FY 2012-13 based on the March 2012 Office of State Planning and Budgeting forecast. The budget package appropriates all but approximately \$200,000 of General Fund revenues projected to be available, less a statutorily required four percent General Fund reserve. As amended by the Senate Education Committee, this bill requires a General Fund appropriation of \$192,174 for FY 2012-13. If the Committee adopts amendment L.037, the bill will require a General Fund appropriation of \$4,000 in FY 2012-13.