



*Colorado Legislative Council Staff Fiscal Note*  
**STATE and LOCAL  
 FISCAL IMPACT**

**Drafting Number:** LLS 12-0199  
**Prime Sponsor(s):** Rep. Young  
 Sen. Morse

**Date:** February 15, 2012  
**Bill Status:** House Judiciary  
**Fiscal Analyst:** Jonathan Senft (303-866-3523)

**TITLE:** CONCERNING CLARIFICATION OF PROVISIONS AUTHORIZING IGNITION INTERLOCK DEVICES.

<b>Fiscal Impact Summary</b>	<b>FY 2012-2013</b>	<b>FY 2013-2014</b>
<b>State Revenue</b>		
<b>State Expenditures</b>		
General Fund	\$37,085	\$37,085
<b>FTE Position Change</b>	0.6 FTE	0.6 FTE
<b>Effective Date:</b> August 8, 2012, if the General Assembly adjourns on May 9, 2012, as scheduled, and no referendum petition is filed.		
<b>Appropriation Summary for FY 2012-2013:</b> See State Appropriations section.		
<b>Local Government Impact:</b> See Local Government Impact section.		

**Summary of Legislation**

This bill repeals and reenacts the statutes governing the use of ignition interlock devices (IID) for motor vehicles, adding one new provision. It changes current practice by allowing courts to require a defendant to install an IID as a condition of probation.

**Background**

An IID is a mechanism installed on a motor vehicle's dashboard that measures Blood Alcohol Concentration (BAC). Before the vehicle's motor can be started, the driver first must exhale into the device; if the resultant BAC is greater than a certain level, the device prevents the engine from being started.

**State Expenditures**

**In FY 2012-13, and each year thereafter, this bill will increase General Fund expenditures in the Judicial Branch by \$37,085 and 0.6 FTE.**

**Judicial Department.** This bill adds the installation and use of an approved IID on an offender's motor vehicle to the list of discretionary probation conditions. It is estimated that the courts will require an additional 700 offenders to add the devices to their vehicle per year. Each of these cases require a probation officer to explain the device to the offender and its conditions, and to refer the offender to an IID leasing agency. In addition, the probation officer must confirm with the leasing agency that the device was successfully installed in each case. Finally, some offenders are expected to violate this condition of their probation, and probation officers will need to administer new sanctions and attend related court hearings. In total, this additional workload is expected to cost \$37,085 and 0.6 FTE each year, beginning in FY 2012-13.

### **Expenditures Not Included**

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are summarized in Table 1.

<b>Table 1. Expenditures Not Included Under HB12-1168*</b>		
<b>Cost Components</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$4,260	\$4,260
Supplemental Employee Retirement Payments	1,947	1,947
<b>TOTAL</b>	<b>\$6,207</b>	<b>\$6,207</b>

*\*More information is available at: <http://colorado.gov/fiscalnotes>*

### **Local Government Impact**

This bill increases the number of probationary offenders using IIDs, and estimates that a portion of these offenders will violate the terms of the IID and thus their probation. Since Driving Under the Influence is a misdemeanor, a violation of this probation could result in a county jail sentence. Therefore, counties may encounter a minimal and temporary increase in inmate population.

### **State Appropriations**

For FY 2012-13, this bill requires a General Fund appropriation of \$37,085 and 0.6 FTE to the Judicial Department.

### **Departments Contacted**

Corrections	Judicial	Law
Public Safety	Revenue	