

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING EVIDENCE COLLECTED IN CONNECTION WITH A SEXUAL ASSAULT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Representative McNulty
Senator Roberts

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Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/17/13.

XXX	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The Senate Judiciary Committee Report (04/24/13) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
None.	

Current Appropriations Clause in Bill

The bill includes an appropriation clause appropriating \$6,351,002 General Fund to the Department of Public Safety for FY 2013-14 for contract services for testing of backlog evidence. However, as the Revised Legislative Council Staff Fiscal Note states, the bill requires an appropriation clause totaling \$13,934,124 General Fund and 9.0 FTE to the Department of Public Safety for FY 2013-14 and \$3,090 reappropriated funds to the Department of Law for the provision of legal services to the Department of Public Safety for FY 2013-14.

Description of Amendments in This Packet

J.004 Staff has prepared amendment **J.004** (attached) to strike the current appropriation clause appropriating \$6,351,002 General Fund to the Department of Public Safety for FY 2013-14 and to appropriate \$13,934,124 General Fund and 9.0 FTE to the Department of Public

Safety for FY 2013-14 and \$3,090 reappropriated funds to the Department of Law for the provision of legal services to the Department of Public Safety for FY 2013-14.

Points to Consider*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2013-14 based on the March 2013 Office of State Planning and Budgeting revenue forecast. The budget package allocates all but approximately \$9.0 million of General Fund revenues projected to be available. Pursuant to S.B. 13-236, this \$9.0 million General Fund will be transferred to the Colorado Water Conservation Board (CWCB) Construction Fund. This bill requires a General Fund appropriation of \$13,934,124 for FY 2013-14 and thus will: (a) eliminate the transfer to the CWCB Construction Fund; and (b) require other General Fund appropriations for existing programs to be reduced by \$4,934,124 in order to maintain a statutorily required five percent General Fund reserve.

Future Fiscal Impact

The reengrossed bill contains an appropriation clause appropriating \$6,351,002 General Fund to the Department of Public Safety for FY 2013-14 for contract services for testing of backlog evidence. At a cost of \$1,500 per kit, the funding contained in the reengrossed bill would allow the Department to contract for the testing of 4,234 kits in FY 2013-14, or about 84 percent of the estimated evidence backlog. The reengrossed bill also requires the Department to include within its budget requests and supplemental budget requests funding to analyze as soon as practicable the remaining evidence backlog and newly collected forensic evidence. Thus, if amendment **J.004** is not adopted, as early as January 2014, the Department may request the remaining \$7,583,122 General Fund and 9.0 FTE estimated to be required to analyze such evidence.