

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 13-0970
Prime Sponsor(s): Sen. Steadman
 Rep. Levy

Date: April 12, 2013
Bill Status: Senate Judiciary
Fiscal Analyst: Kerry White (303-866-3469)

TITLE: CONCERNING A DEFERRED JUDGMENT FOR A DRUG OFFENSE WHEN THERE IS A VIOLATION OF THE DEFERRED JUDGMENT.

| Fiscal Impact Summary | FY 2013-2014 | FY 2014-2015 |
|--|---------------------------------|---------------------|
| State Revenue | | |
| State Expenditures | See State Expenditures section. | |
| FTE Position Change | | |
| Effective Date: Upon signature of the Governor, or upon becoming law without his signature. | | |
| Appropriation Summary for FY 2013-2014: None required. | | |
| Local Government Impact: See Local Government Impact section. | | |

Summary of Legislation

Under current law, if a person violates the terms of a deferred judgment and sentence (DJS), the court is required to enter the guilty plea and impose the original sentence. If the DJS is related to a drug offense, this bill allows but does not require the court to continue the DJS and impose new requirements intended to help the person complete it successfully.

State Expenditures

Overall, this bill will have a minimal workload impact for the Judicial Branch. Under current practice, if a person has his or her DJS revoked and the case does not warrant jail time, the court generally resentsences that person to probation and enters the guilty plea. This bill is not anticipated to alter the sentence of probation, but eliminates the entry of judgment and allows the court to continue the original DJS if it chooses. As the court already holds revocation hearings, this bill is not anticipated to reduce the court's workload.

Local Government Impact

The bill could increase workload for district attorneys be a minimal amount. By continuing certain DJS cases rather than revoking them, this analysis assumes that there may be additional court hearings for which district attorneys would need to prepare and appear for.

Departments Contacted

Corrections
Local Affairs

Counties
Municipalities

District Attorneys
Sheriffs

Judicial