

JBC STAFF FISCAL ANALYSIS SENATE APPROPRIATIONS COMMITTEE

CONCERNING EMPLOYMENT CONDITIONS FOR CORRECTIONAL OFFICERS.

Prime Sponsors: Senator Giron
Representative Duran

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Date Prepared: April 11, 2013

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 04/10/13.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	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 attached fiscal note for S.B. 13-210 was issued after the Judiciary Committee amended the bill on April 8, 2013, but before the Department of Corrections (DOC) was able to provide information about the impact of the Judiciary amendment. The following table summarizes the fiscal impact of the bill, based on (1) the new information from the DOC and (2) a technical adjustment for the bill's effective date and the pay date shift.

Relative to the attached fiscal note, the bill's FY 2013-14 cost is reduced by 18.75 percent due to the pay date shift and the August 7, 2013 effective date. It is increased in FY 2013-14 by \$231,550 and in FY 2014-15 by \$284,985 because the Judiciary Committee amendment defines "corrections officers" as employees subject to 9 U.S.C.A. sec 207 (k). This definition change adds community parole officers and investigators in the Inspector General's Office to the list of employees who must be paid overtime when they work more than 12 hours in a 24-hour period or must be paid overtime when they work more than 85 hours in a 14 day period. The Judiciary Committee amendment deletes the bill's biweekly pay provision, which eliminates the need for extra FTE. The following table shows the fiscal impact of the bill, taking into account these changes.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
State Expenditures		
General Fund	\$2,394,282	\$2,946,809
FTE Position Change	0.0 FTE	0.0 FTE

SB13-210

JBC Staff Analysis

Legislative Council staff concurs with this analysis.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$2,394,282 General fund to the Department of Corrections for FY 2013-14. This corresponds to the appropriation in the attached fiscal note, updated as described above.

Points to Consider

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 \$6.0 million of General Fund revenues projected to be available. Pursuant to S.B. 13-236, this \$6.0 million General Fund will be transferred to the Colorado Water Conservation Board (CWCB) Construction Fund. This bill requires a General Fund appropriation of \$2,394,282 for FY 2013-14 and thus will reduce the transfer to the CWCB Construction Fund by that amount.