

Colorado Legislative Council Staff Fiscal Note

**STATE**  
**REVISED FISCAL IMPACT**

(replaces fiscal note dated April 3, 2014)

**Drafting Number:** LLS 14-0991  
**Prime Sponsor(s):** Sen. Heath

**Date:** April 10, 2014  
**Bill Status:** Senate Appropriations  
**Fiscal Analyst:** Josh Abram (303-866-3561)

**SHORT TITLE:** PROSECUTION FELLOWSHIP PROGRAM

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
<b>State Revenue</b>		
<b>State Expenditures**</b>		<b><u>\$417,696</u></b>
General Fund		\$402,696
<b>FTE Position Change</b>		
<b>Appropriation Required:</b> None.		

\* This summary shows changes from current law under the bill for each fiscal year.

\*\* Some of the bill's provisions can be implemented with existing resources. For this reason, the bill's total State Expenditures in FY 2015-16 are more than the required appropriation. See State Expenditures section for details.

**Summary of Legislation**

This bill, **as amended by the Senate Judiciary Committee**, creates the Prosecution Fellowship Program in the Department of Higher Education (DHE). Beginning with FY 2015-16, the DHE will provide money to the Colorado District Attorneys' Council (CDAC) to fund fellowships for recent Colorado law school graduates, allowing them to pursue careers as prosecutors in rural areas.

The program will match law school graduates for one-year fellowships with district attorneys' offices (DAs) throughout rural Colorado. The fellowship program may fund the salary and benefits for up to six fellows each year chosen from the University of Colorado School of Law and from the University of Denver Sturm College of Law. The program must also provide the fellow with a five-day training practicum.

The bill creates the seven-member Prosecution Fellowship Committee to select fellows and fellowship locations. The committee includes the executive director of the CDAC, the deans of the two law schools, and four elected DAs. The committee must develop an application process and determine selection criteria. Members of the committee serve without compensation.

**State Expenditures**

**Beginning with FY 2015-16, this bill increases state expenditures by \$417,696.** Expenses are for salary and benefits for 6 fellows, and provision of a five-day training practicum. Total costs are displayed in Table 1 and described below.

<b>Table 1. Expenditures Under SB 14-174</b>		
<b>Cost Components</b>	<b>FY 2014-15</b>	<b>FY 2015-16</b>
Salaries		\$306,000
Qualified Retirement Contributions and Medicare		35,496
Benefits		61,200
5-Day Fellowship Practicum		15,000
<b>TOTAL</b>	<b>\$0</b>	<b>\$417,696</b>

**Salaries and benefits.** The largest cost component of the bill are salaries and benefits for six fellows to serve as district attorneys in rural areas. Assuming a base salary of \$51,000, contributions to qualified retirement plans, statutorily required contributions for Medicare, and 20 percent of salaries for benefits (e.g., health, life, and dental insurance), total salaries, retirement, and benefits are \$402,696 each year.

**Fellowship practicum.** The bill requires that fellows chosen for the program attend a five-day training practicum conducted by the CDAC. The training practicum will be hosted by either of the two law schools, and trainers will be volunteers from DA offices in the state. The CDAC will create the content for the training practicum. The cost for each practicum is estimated at \$15,000; however, the CDAC has sufficient resources to create the content and deliver the practicum training within existing resources, and no further appropriation is required for this cost component.

**Prosecution Fellowship Committee.** The CDAC must convene and coordinate an advisory committee to help select fellows and match them with rural DA offices. The effort to staff and coordinate committee activities can be accomplished within existing resources.

**Department of Higher Education.** Beginning with FY 2015-16, the DHE will pass funds through the department to the CDAC to implement the bill. The controller at DHE can transfer these funds without additional resources.

### **Local Government Impact**

The bill has the potential to supplement DA staff in rural areas with sufficient need. DA offices are funded in part by the counties in which the judicial district operates. Fellows from the program will add to the staffs of rural DAs, and not replace county DAs. For this reason, the bill is not anticipated to impact county budgets.

### **Technical Issues**

The CDAC has indicated that each law school has committed to donate \$10,000 for each fellow chosen to participate in the Prosecution Fellowship Program. The program intends to place six fellows annually, for a combined total contribution of \$60,000 from the schools; however, there is no requirement in the bill for this contribution. If the University of Colorado School of Law and the University of Denver Sturm College of Law donate \$10,000 for each fellow, total appropriations from the state can be reduced by the same amount.

**Effective Date**

The bill takes effect August 6, 2014, if the General Assembly adjourns on May 7, 2014, as scheduled, and no referendum petition is filed.

**State and Local Government Contacts**

Higher Education

CDAC