

**STATE
FISCAL IMPACT**

Drafting Number: LLS 14-0596
Prime Sponsor(s): Sen. Brophy

Date: January 14, 2014
Bill Status: Senate Judiciary
Fiscal Analyst: Kerry White (303-866-3469)

SHORT TITLE: SWIFT JUSTICE ACT

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures	Minimal impact.	
FTE Position Change		
Appropriation Required: None.		

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

Summary of Legislation

The bill requires the Colorado Supreme Court to rule on a death penalty appeal within three years of the filing of the notice of appeal. An exception is provided for extraordinary circumstances.

Background

Judicial rules already set deadlines for filing the record, the opening, and response and reply briefs and include an admonition that no extensions will be granted absent extraordinary circumstances. As such, the courts already expedite capital punishment cases.

State Expenditures

This bill could increase workload for trial courts and reduce expenditures for the Department of Corrections.

Department of Corrections. To the extent that this bill were to cause judges to issue a ruling more promptly, this bill could reduce state expenditures in the Department of Corrections. As of this writing, there is only one capital case pending before the Colorado Supreme Court. The fiscal note assumes that any cost reductions would be well into the future, but cannot be quantified at this writing.

Judicial Department agencies. The bill could also increase workload for courts, the Office of the State Public Defender, and the Office of the Alternate Defense Counsel by a minimal amount. To the extent that a person files for judicial relief because his or her appeal was not ruled on within three years, workload will increase. Due to the small number of death penalty cases in Colorado, this impact is anticipated to be minimal.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Corrections

District Attorneys

Judicial