

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING PENALTIES FOR DUI OFFENDERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Reps. Saine and McCann
Sens. Cooke and Johnston

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Date Prepared: April 30, 2015

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 04/20/15.

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

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
None	

Current Appropriations Clause in Bill

The bill includes an appropriation clause that provides the General Fund appropriations listed in Table 1 to the Judicial Department for FY 2015-16. This provision also states that the appropriations are based on the assumption that the Department will require the additional FTE listed in Table 1.

Purpose	General Fund	FTE
Trial Courts - Personal services and operating expenses	\$700,394	8.8
Probation Programs - Personal services and operating expenses	152,261	2.3
Courthouse capital/infrastructure maintenance	231,126	0.0
Office of the State Public Defender - Personal Services, operating expenses, attorney registration, and capital outlay	188,352	3.1
Total	\$1,272,133	14.2

The bill also includes a five year sentencing clause as required by Section 2-2-703, C.R.S. The clause contains the statutory appropriations to the Department of Corrections listed in Table 2 for FY

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JBC Staff Analysis

2015-16 through FY 2019-20. Because the state currently places additional offenders in private prisons and private prisons have substantial excess capacity, the clause does not include an appropriation for capital construction costs.

Fiscal Year	Statutory General Fund Appropriation to the Department of Corrections
FY 2015-16	\$0
FY 2016-17	2,581,944
FY 2017-18	6,497,158
FY 2018-19	9,397,689
FY 2019-20	9,397,689
Total	\$27,874,480

Points to Consider

General Fund Impact

The Joint Budget Committee has proposed a budget package for FY 2015-16 based on the March 2015 Legislative Council Staff revenue forecast. The budget package allocates a total of \$18.5 million General Fund to be available to fund 2015 legislation. If the full \$18.5 million is not used to fund legislation, it will remain in the General Fund reserve.

Future Fiscal Impact

In addition to the \$1,272,133 General Fund appropriation required for FY 2015-16, this bill requires General Fund appropriations totaling \$27,874,480 for FY 2016-17 through FY 2019-20.