

STATE FISCAL IMPACT

Sen. Steadman Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: EARNED TIME FOR HABITUAL OFFENDERS BEFORE 1993

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017	FY 2017-2018		
State Revenue					
State Expenditures	Workload increase		Potential savings		
FTE Position Change					
Appropriation Required: None.					

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

Summary of Legislation

This bill allows an offender sentenced before July 1, 1993, to the Department of Corrections (DOC) for a life term as a habitual offender for a crime committed after July 1, 1985, to accrue earned time.

Background

There are 64 offenders in the custody of the DOC that meet the criteria of this bill. Of this number, 30 have consecutive sentences of varying lengths and 34 would each potentially have sentence reductions of about 7.5 years. Based on the current population, the earliest these offenders would be considered for parole is shown in Table 1.

Table 1. Earliest Parole Eligibility Dates for Offenders Under HB15-1203					
Fiscal Year	Number of Offenders	Fiscal Year	Number of Offenders		
FY 2017-18	1	FY 2025-26	6		
FY 2018-19	3	FY 2026-27	3		
FY 2019-20	3	FY 2027-28	0		
FY 2020-21	1	FY 2028-29	0		
FY 2021-22	3	FY 2029-30	1		
FY 2022-23	5	FY 2030-31	0		
FY 2023-24	1	FY 2031-32	1		
FY 2024-25	6	beyond	30		
TOTAL			64		

State Expenditures

For FY 2015-16, this bill increases workload for the DOC to modify its computer systems to recalculate parole eligibility dates for these offenders. This can be accomplished within existing appropriations.

Beginning as early as FY 2017-18, the bill could result in reduced costs for the DOC, conditional upon future decisions of the Parole Board. Because decisions to grant parole are made based on numerous factors, the fiscal note assumes that it is not possible to determine the actual date of an offender's release or the amount of savings that will be achieved under this bill. For informational purposes, offenders placed in a private contract prison cost the state about \$60.46 per offender per day, including the current daily rate of \$55.08 and an estimated \$5.38 per offender per day for medical care provided by the DOC. The DOC will address any future required reductions in appropriations through the annual budget process.

Technical Note

The bill references Section 17-22.5-403, C.R.S. According to the DOC, the correct statutory citation which would allow the accrual of earned time is Section 17-22.5-405, C.R.S. For the purposes of the fiscal note, it is assumed that the bill references the correct section of statute.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Corrections