Colorado Legislative Council Staff Fiscal Note

STATE, LOCAL, and STATUTORY PUBLIC ENTITY FISCAL IMPACT

Rep. Danielson; Priola **Fiscal Analyst:** Erin Reynolds (303-866-4146)

BILL TOPIC: PUBLIC TRANSIT OFFICERS

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017	
State Revenue	Minimal fine re	Minimal fine revenue increase.	
State Expenditures	Minimal work	Minimal workload increase.	
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 clarifies that a public transit officer who is employed by a public transportation entity and is designated a peace officer by the entity is a peace officer at all times, not just when engaged in the performance of his or her duties. The authority of a public transit officer who is a peace officer includes the enforcement of all state laws without limitation.

As used in the section, a "public transportation entity" means a mass transit district or authority, or any public entity authorized under state law to provide mass transportation services to the public.

State Revenue

To the extent that a public transit officer issues additional citations or causes persons to be charged and convicted with crimes that have fine penalties, the bill may increase state revenue from fines in FY 2015-16 and each year thereafter. Most revenue is expected to be credited to the Fines Collection Cash Fund in the Judicial Department. Because the courts have the discretion of incarceration, imposing a fine, or both, and it is not known whether the bill will result in additional criminal proceedings, the precise impact to state revenue cannot be determined. However, based on the low number of fines imposed in 2014, the fiscal note assumes that any revenue generated is likely to be less than \$5,000.

State Expenditures

To the extent that this bill increases fine revenue, it will also increase workloads in the trial courts of the Judicial Department, and potentially to the Office of the State Public Defender and Office of Alternate Defense Counsel, which provide representation for any persons deemed to be indigent. To the extent that any new convictions stem from a crime occurring in a public

transportation entity's jurisdiction and a person is sentenced to a term of incarceration, costs for the Department of Corrections (DOC) will increase. 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 fiscal note assumes that any costs in future years arising under SB 15-221 will be addressed through the annual budget process.

Local Government Impact

The bill may affect local governments by increasing workload for district attorneys to prosecute any new cases under the bill. To the extent that the bill increases misdemeanor convictions and offenders are sentenced to jail, costs will increase. For informational purposes, the cost to house an offender in county jails varies from about \$53 to \$114 per day. In addition, the Denver County Court may experience a potential workload increase to the extent that misdemeanor cases increase under the bill.

Statutory Public Entity Impact

The bill may increase workload in the Regional Transportation District if public transit officers perform peace officer duties outside of normal work hours.

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

Counties Pub Transportation

Public Safety

Regional Transportation District