

Colorado Legislative Council Staff

**STATE
FISCAL IMPACT**

Drafting Number: LLS 02-0777

Date: February 12, 2002

Prime Sponsor(s): Rep. Veiga

Bill Status: House State Affairs

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TITLE: CONCERNING ACCESS TO RECORDS FOR PURPOSES OF BACKGROUND CHECKS CONDUCTED IN CONNECTION WITH FIREARM TRANSFERS.

Fiscal Impact Summary	FY 2002/2003	FY 2003/2004
State Revenues General Fund		
State Expenditures General Fund	\$11,700	\$0
FTE Position Change	0.0 FTE	0.0 FTE
Other State Impact: None		
Effective Date: Upon signature of the Governor		
Appropriation Summary for FY 2002/2003: \$11,700 GF - Department of Public Safety		
Local Government Impact: None		

Summary of Legislation

This bill directs the State Court Administrator to provide Integrated Colorado On-line Network (ICON) access to the Colorado Bureau of Investigation (CBI) for use in conducting background checks for firearm transfers, and specifies that the CBI may search the ICON and other court databases in conducting checks pursuant to Section 24-33.5-424, C.R.S. (Instachecks).

The bill directs the clerk of the court of all judicial districts and the probate court of the City and County of Denver to report to the National Instant Criminal Background Check System (NICS) the name of each person with respect to whom the court has issued: 1) a finding of incapacity; 2) an order of commitment to the custody of the Department of Human Services, Division of Alcohol and Drug Abuse (ADAD); or 3) an order for involuntary certification for short-term treatment of mental illness, for extended certification for treatment of mental illness, or for long-term care and treatment of mental illness.

State Expenditures

The CBI will require \$11,700 (year one only) to complete programming changes to access court data for background checks. Background checks utilize the Colorado Crime Information Center (CCIC) system to determine a person's criminal history. The CBI estimates that 156 programming hours are required to update the CCIC with involuntary commitment, ADAD commitment, and mental incapacity cases. The fiscal note assumes a contract rate of \$75 per hour.

The Judicial Department will be able to report involuntary commitment, ADAD commitment, and mental incapacity orders and findings for the NICS within existing resources. However, to accommodate reporting within current resources, the department will make necessary programming changes over the course of three months. Depending of the date of passage, compliance with the bill's provisions by July 1, 2002, may be problematic.

State Appropriations

This fiscal note indicates that the Department of Public Safety will require a General Fund appropriation of \$11,700 for FY 2002-03.

Departments Contacted

Judicial Public Safety