



**Colorado
Legislative
Council
Staff**

SB16-164

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-1124
Prime Sponsor(s): Sen. Cooke

Date: March 28, 2016
Bill Status: Senate Judiciary
Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: PRIVATE PROBATION SUMMONS AND COMPLAINT

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Minimal workload reduction.	
Appropriation Required: None.		
Future Year Impacts: Ongoing minimal workload reduction.		

Summary of Legislation

This bill allows a private probation provider to issue a summons and file a complaint with the court for a defendant under his or her supervision.

Background

Chief Justice Directive 04-03 defines the priority use of probation resources and the circumstances under which districts may contract with private probation providers. Generally, private probation providers supervise low-risk offenders. At the conclusion of FY 2014-15, there were a total of 17,485 offenders being managed under private probation service contracts. Of this number, 11,357 were under supervision for a DUI/DWAI offense and 6,128 were being supervised for other offenses.

Depending on the jurisdiction, summons and complaints are filed by either a private probation provider or probation staff employed by the courts. In some jurisdictions, the private provider contacts court probation staff in order to issue a summons and file a complaint. SB16-164 codifies current practice in those jurisdictions that accept summons and complaints filed by private probation providers, and allows that workload to shift from court staff to private providers in other jurisdictions, as applicable.

State Expenditures

Beginning in FY 2016-17, this bill will reduce workload for the probation services staff within the Judicial Department. By allowing private probation providers to issue summons and file complaints in those cases where that workload is performed by court probation staff, workload will decrease. This workload reduction is assumed to be minimal and will not require a reduction in appropriations for the Judicial Department.

Local Government Impact

Similar to the state, this bill may reduce workload for probation staff of the Denver County Court, which is administered by the City and County of Denver. The fiscal note assumes this workload reduction is minimal.

Effective Date

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

District Attorneys
Public Safety

Information Technology

Judicial