



Legislative
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FISCAL NOTE

Drafting Number:	LLS 18-0686	Date:	January 16, 2018
Prime Sponsors:	Rep. Benavidez	Bill Status:	House Judiciary
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Bill Topic: COURT SECURITY SURCHARGE

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill increases the court security surcharge from \$5 to \$10. This bill will increase state and county revenue and expenditures annually beginning in FY 2018-19. These impacts continue in future years.

Appropriation Summary: For FY 2018-19, this bill requires an appropriation of \$1.8 million from the Judicial Department to the Court Security Cash Fund.

Fiscal Note Status: This fiscal note reflects the introduced bill.

**Table 1
State Fiscal Impacts Under HB 18-1055**

		FY 2018-19	FY 2019-20
Revenue	Cash Funds	\$1,800,000	\$2,000,000
	Total	\$1,800,000	\$2,000,000
Expenditures	Cash Fund	\$1,800,000	\$2,000,000
	Total	\$1,800,000	\$2,000,000
	Total FTE	-	-
Transfers	Total	-	-

Summary of Legislation

This bill increases the court security cash fund surcharge from \$5 to \$10 and allocates the new revenue to the county that collected the fee.

Background

The Court Security Cash Fund is funded by a \$5 surcharge on certain docket and filing fees. The fund supports the Court Security Commission, which solicits and evaluates court security grant applications. Awarded court security grants are paid to counties out of the Court Security Cash Fund and are used for court security equipment, training, and emergency security needs.

State Revenue

By doubling the current court security surcharge from \$5 to \$10, this bill doubles the amount of Court Security Cash Fund revenue that will be collected. Currently approximately \$2.0 million is collected each year from this surcharge. Assuming the number of cases and fee collection rates remain relatively unchanged, beginning in FY 2018-19, \$1.8 million in additional surcharge revenue will be collected. For FY 2018-19, this amount is prorated due to the effective date of the bill. Beginning in FY 2019-20, \$2.0 million in additional surcharge revenue will be collected per year. Increased revenue collected is passed directly to the county that generated the docket or filing fee.

Fee impact on case filings. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. These fee amounts are estimates only, actual fee collections will be based on case filings and collection rates. The table below identifies the fee impact of this bill.

Table 2
Fee Impact on HB 18-1055

Fiscal Year	Type of Fee	Current Fee	Proposed Fee	Number Affected	Total Fee Impact
FY2018-19	Court Security Surcharge	\$5	\$10	360,000	\$1,800,000
FY 2018-19 Total					\$1,800,000
FY2019-20	Court Security Surcharge	\$5	\$10	400,000	\$2,000,000
FY 2019-20 Total					\$2,000,000

TABOR Refund

The bill increases state revenue subject to TABOR by \$1.8 million in FY 2018-19 and \$2.0 million in FY 2019-20. State revenue is not currently expected to exceed the TABOR limit in either year and no refund is required. Therefore, the bill is not expected to impact TABOR refunds in these years. However, refunds in future years when the state next collects a TABOR surplus will be increased.

State Expenditures

This bill increases Judicial Department cash fund expenditures by \$1.8 million in FY 2018-19 and \$2.0 million per year beginning in FY 2019-20 to transmit court security surcharge funds to the appropriate county. Workload is also increased by a minimal amount to update systems and processes to ensure that increased surcharge revenue is tracked and allocated to the county that collected the docket or filing fee. This workload can be accomplished within existing appropriations and expenditures will be paid out of the Court Security Cash Fund.

Local Government

This bill increases county revenue from the Court Security Cash Fund, which will increase the amount of money counties have to spend on court or probation office security. This increase will vary by county depending on the number case filings and collection rates. Estimated revenue by county is shown in Table 2. Overall, county revenue is expected to increase statewide by \$1.8 million in FY 2018-19 and \$2.0 million per year beginning in FY2019-20.

Table 3
County Court Security Cash Fund Revenue
HB 18-1055*

County	FY 2018-19	FY 2019-20
Adams	\$216,900	\$241,000
Alamosa	\$8,100	\$9,000
Arapahoe	\$234,000	\$260,000
Archuleta	\$4,500	\$5,000
Baca	\$945	\$1,050
Bent	\$1,800	\$2,000
Boulder	\$79,200	\$88,000
Broomfield	\$17,100	\$19,000
Chaffee	\$5,400	\$6,000
Cheyenne	\$900	\$1,000
Clear Creek	\$8,100	\$9,000
Conejos	\$1,800	\$2,000
Costilla	\$2,700	\$3,000
Crowley	\$900	\$1,000
Custer	\$1,800	\$2,000
Delta	\$11,700	\$13,000
Denver	\$81,900	\$91,000
Dolores	\$540	\$600
Douglas	\$94,500	\$105,000
Eagle	\$20,700	\$23,000
El Paso	\$225,000	\$250,000
Elbert	\$9,900	\$11,000
Fremont	\$13,500	\$15,000
Garfield	\$29,700	\$33,000
Gilpin	\$5,130	\$5,700
Grand	\$7,020	\$7,800

**Table 3
County Court Security Cash Fund Revenue
HB 18-1055* (Cont.)**

County	FY 2018-19	FY 2019-20
Gunnison	\$6,930	\$7,700
Hinsdale	\$315	\$350
Huerfano	\$4,590	\$5,100
Jackson	\$540	\$600
Jefferson	\$199,800	\$222,000
Kiowa	\$1,800	\$2,000
Kit Carson	\$2,700	\$3,000
La Plata	\$19,800	\$22,000
Lake	\$4,500	\$5,000
Larimer	\$102,600	\$114,000
Las Animas	\$9,000	\$10,000
Lincoln	\$3,600	\$4,000
Logan	\$10,800	\$12,000
Mesa	\$58,500	\$65,000
Mineral	\$1,710	\$1,900
Moffat	\$5,400	\$6,000
Montezuma	\$7,200	\$8,000
Montrose	\$15,300	\$17,000
Morgan	\$13,500	\$15,000
Otero	\$8,100	\$9,000
Ouray	\$1,800	\$2,000
Park	\$7,200	\$8,000
Phillips	\$900	\$1,000
Pitkin	\$5,400	\$6,000
Prowers	\$8,100	\$9,000
Pueblo	\$61,200	\$68,000
Rio Blanco	\$2,700	\$3,000
Rio Grande	\$3,600	\$4,000
Routt	\$9,000	\$10,000
Saguache	\$2,700	\$3,000
San Juan	\$180	\$200
San Miguel	\$2,700	\$3,000
Sedgwick	\$900	\$1,000
Summit	\$13,500	\$15,000
Teller	\$7,200	\$8,000
Washington	\$1,800	\$2,000
Weld	\$108,000	\$120,000
Yuma	\$2,700	\$3,000
Total	\$1,800,000	\$2,000,000

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

State Appropriations

For FY 2018-19, this bill requires an appropriation of \$1.8 million from the Judicial Department to the Court Security Cash Fund.

State and Local Government Contacts

Counties	Judicial
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