



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FINAL FISCAL NOTE

Drafting Number: LLS 18-0216 Date: June 22, 2018
Prime Sponsors: Sen. Neville T. Bill Status: Signed into Law
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Bill Topic: INCREASE SURCHARGE FOR TRAFFICKING CHILDREN

- Summary of Fiscal Impact:
- State Revenue (checked)
- State Expenditure
- State Transfer
- TABOR Refund (checked)
- Local Government
- Statutory Public Entity

This bill increases the surcharge for the crime of human trafficking a minor for involuntary or sexual servitude. Beginning in FY 2018-19, this bill increases state cash fund revenue on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Table 1
State Fiscal Impacts Under SB 18-055

Table with 4 columns: Revenue/Expenditures/Transfers/TABOR Refund, Cash Funds/General Fund, FY 2018-19, FY 2019-20. Values include 'at least \$1,500' and '-'

Summary of Legislation

Under current law, a person convicted of a class two felony crime against a child must pay a \$1,500 surcharge. This bill increases the surcharge to \$3,000 for the crimes of human trafficking of a minor for involuntary servitude or sexual servitude. This bill also encourages the court to delay any finding of indigence until six months after conviction and allows the court to request documentation proving indigence in such cases.

Background

There have been five class two felony cases of human trafficking of a minor for involuntary or sexual servitude in the last three years. This bill is not expected to impact the number of cases related to human trafficking of a minor for involuntary or sexual servitude. This analysis assumes the new surcharge created by this bill will apply to at least one case per year increasing the amount charged from \$1,500 to \$3,000. Revenue generated from this surcharge is credited to the Child Abuse Investigation Surcharge Fund (95 percent) and the Judicial Stabilization Fund (5 percent).

State Revenue

Beginning in FY 2018-19, this bill increases state cash fund revenue credited to the Judicial Department from criminal surcharges by at least \$1,500 per year. The exact revenue increase will depend on then number of convictions and indigency status of the offender.

TABOR Refund

This bill increases state cash fund revenue from fees, which will increase the amount of money required to be refunded under TABOR by at least \$1,500 per year for FY 2018-19 and FY 2019-20. Since the bill increases the TABOR refund obligation without a corresponding change in General Fund revenue, the amount of money available in the General Fund for the budget will decrease by an identical amount. State revenue subject to TABOR is not estimated for years beyond FY 2019-20.

Effective Date

This bill was signed into law by the Governor on April 23, 2018, and takes effect August 8, 2018, assuming no referendum petition is filed.

State and Local Government Contacts

Human Services

Judicial