



**Legislative  
Council Staff**

*Nonpartisan Services for Colorado's Legislature*

**REVISED  
FISCAL NOTE**

(replaces fiscal note dated February 8, 2018)

**Drafting Number:** LLS 18-0605  
**Prime Sponsors:** Sen. Fields  
 Rep. Pabon

**Date:** April 25, 2018  
**Bill Status:** House Judiciary  
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**Bill Topic:** PUBLIC SAFETY INFORMATION-SHARING SYSTEM

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

This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program in FY 2018-19. This bill increases state expenditures and workload in FY 2018-19 only. Local government costs and workload may also be impacted.

**Appropriation Summary:** This bill requires and includes an appropriation of \$1.0 million in FY 2018-19.

**Fiscal Note Status:** This revised fiscal note reflects the reengrossed bill.

**Table 1  
State Fiscal Impacts Under SB 18-059**

		<b>FY 2018-19</b>	<b>FY 2019-20</b>
<b>Revenue</b>		-	-
<b>Expenditures</b>	Cash Funds	\$1,000,000	-
	Centrally Appropriated	\$5,986	-
	<b>Total</b>	\$1,005,986	-
	<b>Total FTE</b>	0.4 FTE	-
<b>Transfers</b>		-	-

## **Summary of Legislation**

This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information-Sharing Grant Program. The program is to provide grants to any state or governmental entity or separate legal entity formed by an intergovernmental agreement for the purpose of:

- enhancing, maintaining, operating, or improving any existing statewide law enforcement, public safety, or criminal justice information-sharing system;
- assisting law enforcement, public safety, and criminal justice agencies in gaining access to the information-sharing system;
- increasing communication, interoperability, or data sharing among law enforcement, public safety, and criminal justice agencies; or
- to provide grants to other law enforcement, public safety, and criminal justice agencies that want to participate in the information-sharing system.

**Grant Cash fund and appropriation.** This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Fund (grant fund) and includes an appropriation of \$1.0 million to the grant fund from the Marijuana Tax Cash Fund in FY 2018-19. All unexpended monies in the grant fund must be transferred to the General Fund on July 1, 2021.

**Grant administration and awards.** This grant program will be administered by the Division of Homeland Security and Emergency Management in the Department of Public Safety (DPS). The DPS is authorized to promulgate grant program rules and award a grant based on the applicant's ability to serve law enforcement, public safety, and criminal justice agencies statewide and to operate and maintain a law enforcement information-sharing system. Award announcements must be posted on the DPS website within one day after selection and parties may contest such selections as specified in the bill. The DPS is authorized to spend up to 5 percent on the administration of the grant.

**Grant applicant open-bid process.** Any grant applicant intending to contract with an independent contractor or vendor as part of a grant application of \$50,000 or more must first facilitate an open-bid request for proposal process.

**Grant recipient agreement.** Each grant recipient must agree to:

- submit to an audit by the state auditor on the use of any grant money, if such an audit is requested by the General Assembly; and
- report annually to the DPS.

## **State Transfers**

This bill creates a state transfer from the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Fund for any unexpended funds to be transferred to the General Fund on July 1, 2021. The amount of funds to be transferred is unknown, but is expected to be minimal.

**State Expenditures**

For FY 2018-19 only, this bill increases state expenditures in the DPS by \$1.0 million and 0.4 FTE as shown in Table 2 and described below.

**Table 2  
Expenditures Under SB 18-059**

	<b>FY 2018-19</b>	<b>FY 2019-20</b>
<b>Department of Public Safety</b>		
Personal Services	\$27,400	-
Law Enforcement Information Sharing Grant	\$947,600	-
Administrative Law Judge	\$25,000	-
Centrally Appropriated Costs*	\$5,986	-
FTE – Personal Services	0.4 FTE	-
<b>Total Cost</b>	<b>\$1,005,986</b>	-
<b>Total FTE</b>	<b>0.4 FTE</b>	-

\* Centrally appropriated costs are not included in the bill's appropriation.

**Department of Public Safety.** For FY 2018-19 only, the DPS requires 0.4 FTE to administer the grant program. This includes developing program rules, grant application guidelines, reviewing grant applications, monitoring the use of grant funds, and producing grant funding reports.

**Administrative law judge.** For FY 2018-19 only, \$25,000 is needed an administrative law judge contract. This contract is needed to make legal determinations on any open-bid process to contract with a vendor by a grant applicant, which may be contested 15 days after grant award announcements. Because this would potentially require reviewing a non-state entity open-bid process, it is assumed that an outside administrative law judge will be needed and that existing state administrative law judges cannot be utilized. These funds are to be reappropriated to the Department of Law.

**Marijuana Tax Cash Fund.** This bill reduces the amount of funds available for other uses in the Marijuana Tax Cash Fund by \$1.0 million in FY 2018-19 only.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$5,986 in both FY 2018-19.

**Local Government**

The enhancement and expansion of existing statewide information-sharing systems potentially impacts local government law enforcement, public safety, and criminal justice agencies in several ways. First, the use the information-sharing system could decrease costs and workload

to obtain information that was previously obtained from other sources. Second, workload may increase to help grant recipients enhance and improve existing information-sharing systems. Third, costs may increase to the extent that technology is needed to connect to information-sharing systems and grant funds do not cover these costs.

**Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

**State Appropriations**

In FY 2018-19, this bill includes an appropriation of \$1,000,000 and an allocation of 0.4 FTE from the from the Marijuana Tax Cash Fund to the Law Enforcement Information Sharing Grant Program Fund in the Department of Public Safety. Of this \$25,000 should be reappropriated to the Department of Law.

**State and Local Government Contacts**

Counties  
Public Safety

Information Technology  
Sheriffs

Municipalities