



Legislative
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HB 19-1297

**REVISED
FISCAL NOTE**

(replaces fiscal note dated April 9, 2019)

Drafting Number: LLS 19-1044
Prime Sponsors: Rep. Weissman; McKean
 Sen. Lee
Date: April 29, 2019
Bill Status: Senate Judiciary
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Bill Topic: JAIL CAPACITY DATA COLLECTION

Summary of Fiscal Impact:

<input 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 requires jails to collect and report data on persons confined in jail quarterly to the Department of Public Safety. This bill increases state and local government costs and workload through FY 2022-23.

Appropriation Summary: For FY 2019-20, this bill requires a General Fund appropriation of \$26,107 to the Department of Public Safety.

Fiscal Note Status: This fiscal note has been revised to reflect the reengrossed bill.

**Table 1
State Fiscal Impacts Under HB 19-1297**

		FY 2019-20	FY 2020-21
Revenue		-	-
Expenditures	General Fund	\$26,107	\$31,907
	Centrally Appropriated	\$7,476	\$10,385
	Total	\$33,583	\$42,292
	Total FTE	0.3 FTE	0.5 FTE
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

This bill requires jail facilities to keep and maintain daily records regarding inmate population, capacity, inmate holds, inmates awaiting competency evaluation, inmates with substance addiction, and average lengths of stay. By January 17, 2020, and each quarter thereafter, each jail facility must submit a report containing this data to the Division of Criminal Justice in the Department of Public Safety (DPS). A jail is deemed non-compliant for failure to submit this report. DPS is required to collect, publish this data, and issue a letter to any non-compliant jail. This data collection requirement is repealed on January 31, 2023.

State Expenditures

This bill increases DPS costs by \$33,583 and 0.3 FTE in FY 2019-20, and \$42,292 and 0.5 FTE in FY 2020-21. Judicial Department workload is also increased. These impacts are shown in Table 2 and discussed below.

Table 2
Expenditures Under HB 19-1297

	FY 2019-20	FY 2020-21
Department of Public Safety		
Personal Services	\$20,804	\$31,207
Operating Expenses and Capital Outlay Costs	\$5,303	\$700
Centrally Appropriated Costs*	\$7,476	\$10,385
Total Cost	\$33,583	\$42,292
Total FTE	0.3 FTE	0.5 FTE

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

Department of Public Safety. The DPS requires 0.5 FTE for a statistical analyst. This position will develop templates for the submission of jail data and a database for the collection of jail data, work with jail facilities in the compilation of such data, provide technical assistance and training, review data submissions, compile reports, and publish the data. This position will also track and send noncompliant letters to any facilities that fail to submit the quarterly report. Costs in FY 2019-20 are prorated for the General Fund paydate shift and assume a October 1 start date. Future year costs are expected to be less than 0.5 FTE and it is assumed the DPS will request an appropriation adjustment through the annual budget process.

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 \$7,476 in FY 2019-20 and \$10,385 in FY 2020-21 and beyond.

Local Government

Beginning in FY 2019-20, this bill increases county costs and workload to collect and submit the jail data required by this bill. Costs may increase to purchase software or to program existing jail systems to allow automated data collection and reporting. These impacts will vary by jail depending on current data collection and system capabilities and have not been estimated.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

State Appropriations

For FY 2019-20, this bill requires and includes a General Fund appropriation of \$26,107 and an allocation of 0.3 FTE to the Department of Public Safety.

State and Local Government Contacts

Corrections
Judicial

Counties
Public Safety

Information Technology
Sheriffs