

CHAPTER 309

APPROPRIATIONS

HOUSE BILL 20-1243

BY REPRESENTATIVE(S) Esgar, McCluskie, Snyder;
also SENATOR(S) Moreno, Zenzinger, Rankin, Crowder, Gonzales, Lee, Story.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Appropriation to the department of corrections for the fiscal year beginning July 1, 2019. In Session Laws of Colorado 2019, section 2 of chapter 454, (SB 19-207), **amend** Part II as follows:

Section 2. **Appropriation.**

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART II
DEPARTMENT OF CORRECTIONS**

(1) MANAGEMENT

(A) Executive Director's Office Subprogram

Personal Services	3,599,788	3,355,983 (22.8 FTE)			243,805 ^a (4.0 FTE)	
Restorative Justice Program with Victim-Offender Dialogues in Department Facilities	75,000	75,000 (1.2 FTE)				
Health, Life, and Dental	60,376,258	58,561,755		1,814,503 ^b		
Short-term Disability	613,889	596,142		17,747 ^b		
S.B. 04-257 Amortization Equalization Disbursement	18,302,638	17,782,744		519,894 ^b		
S.B. 06-235 Supplemental Amortization Equalization Disbursement	18,302,638	17,782,744		519,894 ^b		

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PERA Direct Distribution	9,854,160		9,569,276		284,884 ^b		
Salary Survey	10,973,701		10,656,469		317,232 ^b		
Shift Differential	9,264,502		9,210,052		54,450 ^b		
Workers' Compensation	5,943,515		5,755,701		187,814 ^b		
Operating Expenses	357,759		267,759			5,000 ^a	85,000(I) ^c
Legal Services	2,390,373 ^d		2,309,875		80,498 ^b		
Payment to Risk Management and Property Funds	4,388,047		4,214,706		173,341 ^b		
Leased Space	5,250,810		4,960,104		290,706 ^b		
Capitol Complex Leased Space	56,871		40,626		16,245 ^b		
Planning and Analysis Contracts	82,410		82,410				
Payments to District Attorneys	681,102		681,102				
Payments to Coroners	32,175		32,175				
Annual depreciation-lease equivalent payments	235,033		235,033				
	<u>150,780,669</u>						

^a These amounts shall be transferred from the Department of Public Safety from the State Victims Assistance and Law Enforcement Program line item appropriation in the Victims Assistance section of the Division of Criminal Justice. These amounts originate as cash funds from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S.

^b Of these amounts, an estimated \$3,756,425 shall be from sales revenues earned by Correctional Industries and an estimated \$520,783 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding. This amount is included for informational purposes only.

^d Of this amount, \$2,369,627 shall be used to purchase legal services from the Department of Law and \$20,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

(B) External Capacity Subprogram

(1) Private Prison Monitoring Unit

Personal Services	1,150,356	1,150,356	
		(15.7 FTE)	
Operating Expenses	<u>213,443</u>	183,976	29,467 ^a
	1,363,799		

^a This amount shall be from revenues earned from monitoring private Colorado prisons that house out-of-state offenders.

(2) Payments to House State Prisoners¹

Payments to local jail at a rate of \$58.56 per inmate per day	14,378,311	14,378,311	
Payments to in-state private prisons at a rate of \$57.94 per inmate per day	67,116,051	64,916,051	2,200,000*

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
		64,716,051		2,400,000 ^a		
Payments to pre-release parole revocation facilities at a rate of \$57.94 per inmate per day	14,788,512	14,788,512				
	8,469,112	8,469,112				
Inmate Education and Benefit Programs at In-state Private Prisons	541,566	541,566				
Inmate Education and Benefit Programs at Pre-release Parole Revocation Facilities	121,151	121,151				
	<u>70,671</u>	70,671				
	96,945,591					
	90,575,711					

^a This amount shall be from the State Criminal Alien Assistance Program Cash Fund created in Section 17-1-107.5 (1), C.R.S.

(C) Inspector General Subprogram

Personal Services	4,368,414	4,262,181	106,233 ^a
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		(48.2 FTE)		
Operating Expenses	429,367	346,180	83,187 ^a	
	431,405	348,218		
Inspector General Grants	<u>207,912</u>			207,912(I)
	5,005,693			
	5,007,731			

^a These amounts shall be from revenues earned from private prison out of state offender investigations.

~~254,095,752~~
247,727,910

(2) INSTITUTIONS

(A) Utilities Subprogram

Personal Services	326,492	326,492		
		(2.6 FTE)		
Utilities	22,062,941	20,658,871	1,404,070 ^a	
	<u>22,220,399</u>	20,816,329		
	22,389,433			
	22,546,891			

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services	21,441,109			
	(276.8 FTE)			

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	7,114,522						
	7,152,555						
Maintenance Pueblo Campus	<u>2,079,408</u>						
	30,635,039		30,635,039				
	30,673,072		30,673,072				
(C) Housing and Security Subprogram							
Personal Services ²	185,089,091		185,086,144		2,947 ^a		
	186,289,091		186,286,144				
			(2,980.6 FTE)				
Operating Expenses	1,852,341		1,852,341				
	<u>1,884,941</u>		1,884,941				
	186,941,432						
	188,174,032						

^a This amount shall be from the Corrections Expansion Reserve Fund created in Section 17-1-116, C.R.S.

(D) Food Service Subprogram

Personal Services	20,446,510	20,446,510
		(317.8 FTE)
Operating Expenses	18,015,818	18,015,818
	18,145,811	18,145,811
Food Service		
Pueblo Campus	<u>2,030,375</u>	2,030,375
	40,492,703	
	40,622,696	

(E) Medical Services Subprogram

Personal Services	39,728,651	39,477,164	251,487 ^a
	40,112,651	39,861,164	
		(384.5 FTE)	(3.0 FTE)
Operating Expenses	2,579,052	2,579,052	
	2,593,885	2,593,885	
Purchase of			
Pharmaceuticals	15,561,728	15,561,728	
	16,213,308	16,213,308	
Hepatitis C			
Treatment Costs	20,514,144	20,514,144	
Purchase of Medical			
Services from Other			
Medical Facilities	34,869,955	34,869,955	
	42,089,253	42,089,253	
Service Contracts	2,575,733	2,575,733	

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	914			914 ^a		
	115,830,177					
	124,099,888					

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113 (2), C.R.S.

(F) Laundry Subprogram

Personal Services	2,606,790				
	(37.4 FTE)				
Operating Expenses	2,197,545				
	2,210,259				
	4,804,335		4,804,335		
	4,817,049		4,817,049		

(G) Superintendents Subprogram

Personal Services	11,669,599				
	(156.9 FTE)				
Operating Expenses	5,202,001				
	5,236,639				

Dress Out	1,006,280	
Start-up Costs	1,462	
	<u>683,392</u>	
	17,879,342	17,879,342
	18,595,910	18,595,910

(H) Youthful Offender System Subprogram

Personal Services	11,377,487	
	(160.7 FTE)	
Operating Expenses	604,705	
Contract Services	28,820	
Maintenance and Food Service	<u>1,040,901</u>	
	13,051,913	13,051,913

(I) Case Management Subprogram

Personal Services	17,946,764	
	(248.2 FTE)	
Operating Expenses	173,081	
	175,119	
Offender ID Program	341,135	
Start-up Costs	<u>4,703</u>	
	18,465,683	18,465,683
	18,467,721	18,467,721

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(J) Mental Health Subprogram						
Personal Services	11,151,627 11,307,627	11,151,627 11,307,627				
		(154.0 FTE)				
Operating Expenses	281,266 285,341	281,266 285,341				
Medical Contract Services	4,544,498	4,544,498				
Start-up Costs	<u>4,703</u>	4,703				
	15,982,094 16,142,169					
(K) Inmate Pay Subprogram						
	2,376,618 2,394,874	2,376,618 2,394,874				
(L) Legal Access Subprogram						
Personal Services	1,457,334 (21.5 FTE)					
Operating Expenses	299,602					
Contract Services	<u>70,905</u>					
	1,827,841	1,827,841				

470,676,610
481,414,056

(3) SUPPORT SERVICES

(A) Business Operations Subprogram

Personal Services	6,506,341	5,317,843 (89.8 FTE)	44,200 ^a	1,144,298 ^b (10.0 FTE)
Operating Expenses	<u>234,201</u>	234,201		
	6,740,542			

^a This amount shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S.

^b Of this amount, \$1,075,991 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S. and \$68,307 shall be from statewide indirect cost recoveries.

(B) Personnel Subprogram

Personal Services	1,436,283 (18.7 FTE)			
Operating Expenses	<u>86,931</u>			
	1,523,214	1,523,214		

(C) Offender Services Subprogram

Personal Services	3,192,617 (44.1 FTE)			
Operating Expenses	<u>62,044</u>			
	3,254,661	3,254,661		

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(D) Communications Subprogram							
Operating Expenses	1,633,347		1,633,347				
Dispatch Services	<u>224,477</u>		224,477				
	1,857,824						
(E) Transportation Subprogram							
Personal Services	2,411,176		2,411,176				
			(35.9 FTE)				
Operating Expenses	433,538		433,538				
	483,538		483,538				
Vehicle Lease Payments	<u>3,478,263</u>		2,835,500		642,763 ^a		
	6,322,977						
	6,372,977						

^a Of this amount, an estimated \$596,732 shall be from sales revenues earned by Correctional Industries and an estimated \$46,031 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

Personal Services	2,403,403
	(33.0 FTE)

Operating Expenses	<u>287,625</u>	
	2,691,028	2,691,028

(G) Information Systems Subprogram

Operating Expenses	1,395,169	1,395,169		
Payments to OIT	28,833,198	28,682,619	150,579 ^a	
CORE Operations	<u>362,156</u>	316,790	21,914 ^a	23,452 ^b
	30,590,523			

^a Of these amounts, an estimated \$151,449 shall be from Correctional Industries sales to non-state entities and an estimated \$21,044 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from Correctional Industries sales to other state agencies.

(H) Facility Services Subprogram

Personal Services	1,013,333	
	(9.7 FTE)	
Operating Expenses	<u>83,096</u>	
	1,096,429	1,096,429

~~54,077,198~~

54,127,198

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(4) INMATE PROGRAMS							
(A) Labor Subprogram							
Personal Services	6,001,809 (88.7 FTE)						
Operating Expenses	<u>88,017</u>						
	6,089,826		6,089,826				
(B) Education Subprogram							
Personal Services	14,105,285		14,105,285 (194.0 FTE)				
Operating Expenses	4,521,663 4,542,038		2,817,246		1,293,402* 1,313,777 ^a	411,015 ^b	
Contract Services	237,128		237,128				
Education Grants	80,060 (2.0 FTE)				10,000 ^c	42,410 ^d	27,650(I)
Start-up Costs	<u>4,703</u>		4,703				
	18,948,839 18,969,214						

^a Of this amount, an estimated \$735,467 shall be from sales revenues earned by vocational programs and an estimated ~~\$557,935~~ \$578,310 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

^c This amount shall be from gifts, grants, and donations.

^d This amount shall be from the Colorado Department of Education from special education funds.

(C) Recreation Subprogram

Personal Services	7,732,383	7,732,383	
		(116.7 FTE)	
Operating Expenses	71,232		71,232^c
	<u>72,047</u>		72,047 ^a
	7,803,615		
	7,804,430		

^a This amount shall be from sales revenues earned by the Canteen Operation.

(D) Drug and Alcohol Treatment Subprogram

Personal Services	5,589,854	5,589,854	
	5,652,254	5,652,254	
		(85.4 FTE)	
Operating Expenses	110,932	110,932	
	111,829	111,829	
Services for Substance Abuse and Co-occurring Disorders	1,027,121		1,027,121 ^a

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Contract Services	2,508,458		2,147,206			361,252 ^a	
Treatment Grants	<u>126,682</u>					126,682 ^b	
	9,363,047						
	9,426,344						

^a These amounts shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section.

^b This amount shall be from grant funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

(E) Sex Offender Treatment Subprogram

Personal Services	3,204,561		3,173,327		31,234 ^a		
			(54.8 FTE)		(1.0 FTE)		
Operating Expenses	92,276		91,776		500 ^a		
Polygraph Testing	242,500		242,500				
Sex Offender							
Treatment Grants	<u>65,597</u>						65,597(I)
	3,604,934						

^a These amounts shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

(F) Volunteers Subprogram

Personal Services	447,527	
	(8.0 FTE)	
Operating Expenses	<u>17,912</u>	
	465,439	465,439

~~46,275,700~~

46,360,187

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services	19,007,465	19,007,465	
		(302.2 FTE)	
Operating Expenses	2,615,820	2,615,820	
Parolee Supervision and Support Services	11,299,514	9,089,758	2,209,756 ^a
Wrap-Around Services Program	2,336,782	2,336,782	
Grants to Community-based Organizations for Parolee Support	6,697,140	6,697,140	
Community-based Organizations Housing Support	500,000	500,000	
Parolee Housing Support	500,000	500,000	
Work Release Program ³	<u>3,500,000</u>	3,500,000	

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	46,456,721					

^a Of this amount, \$2,163,125 shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section and \$46,631 shall be transferred from the General Fund appropriation to the Offender Treatment and Services line item in the Probation and Related Services section. The transfer from the Offender Treatment and Services line item is for the provision of day reporting services.

(B) Community Supervision Subprogram

(1) Community Supervision

Personal Services	6,280,052	6,280,052			
		(83.8 FTE)			
Operating Expenses	632,650	632,650			
Psychotropic Medication	131,400	131,400			
Community Supervision					
Support Services	<u>3,972,609</u>	3,940,134		32,475 ^a	
	11,016,711				

^a This amount shall be transferred from the Department of Public Safety from the Division of Criminal Justice. These amounts originate as federal funds.

(2) Youthful Offender System Aftercare

Personal Services	548,390				
	(8.0 FTE)				

Operating Expenses	141,067			
Contract Services	<u>1,022,396</u>			
	1,711,853	1,711,853		
(C) Community Re-entry Subprogram				
Personal Services	2,512,252	2,512,252		
		(41.6 FTE)		
Operating Expenses	146,202	146,202		
Offender Emergency Assistance	96,768	96,768		
Contract Services	190,000	190,000		
Offender Re-employment Center	374,000	364,000	10,000 ^a	
Community Reintegration Grants	39,098			39,098(I)
	<u>3,358,320</u>			(1.0 FTE)

^a This amount shall be from gifts, grants, and donations.

62,543,605

(6) PAROLE BOARD

Personal Services	1,444,625
	(17.5 FTE)

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	106,390						
Contract Services	272,437						
Administrative and IT Support	105,000						
	177,677						
	<u>(2.0 FTE)</u>						
		1,928,452	1,928,452				
		2,001,129	2,001,129				
 (7) CORRECTIONAL INDUSTRIES							
Personal Services	11,659,707				3,837,425 ^a	7,822,282 ^b	
					(42.8 FTE)	(112.2 FTE)	
Operating Expenses	6,689,926				1,817,327 ^a	4,872,599 ^b	
Raw Materials	38,878,810				8,441,080 ^a	30,437,730 ^b	
Inmate Pay	2,752,239				1,114,590 ^a	1,637,649 ^b	
Capital Outlay	1,406,200				337,094 ^a	1,069,106 ^b	
Correctional Industries Grants	2,500,000						2,500,000(I)
Indirect Cost Assessment	<u>1,067,491</u>				126,403 ^a	291,033 ^b	650,055(I)
		64,954,373					

^a Of these amounts, an estimated \$15,523,919 is from sales to non-state entities and an estimated \$150,000 is from rents and royalties earned on Penitentiary Trust land managed by the State Board of Land Commissioners pursuant to Section 36-1-116 (2), C.R.S.

^b Of these amounts, an estimated \$36,280,310 is from sales to other state agencies and an estimated \$9,850,089 is from the Department of Revenue for the purchase of license plates.

(8) CANTEEN OPERATION

Personal Services	2,234,624			
	(28.0 FTE)			
Operating Expenses ^{3a}	18,930,041			
Inmate Pay	73,626			
Indirect Cost Assessment	<u>75,895</u>			
	21,314,186		21,314,186(I) ^a	

^a This amount shall be from sales revenues earned by the Canteen Operation and is continuously appropriated to the division pursuant to Section 17-24-126 (1), C.R.S.

TOTALS PART II

(CORRECTIONS)	\$975,865,876	\$872,913,457		\$47,619,442*	\$51,757,665	\$3,575,312 ^b
	<u>\$980,442,644</u>	<u>\$877,269,035</u>	<u> </u>	<u>\$47,840,632^a</u>	<u> </u>	<u> </u>

^a Of this amount, \$21,314,186 contains an (I) notation.

^b This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 1 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- The Department of Corrections is authorized to transfer up to 5.0 percent of the total appropriation for the external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community corrections providers.
- 2 Department of Corrections, Institutions, Housing and Security Subprogram, Personal Services -- The amount appropriated in this line item does not include the \$10,584,303 of FY 2019-20 General Fund appropriations for the Department of Corrections set forth in sections 111, and 114, through 126 of Title 17, Article 18, C.R.S. In calculating the amount appropriated in this line item, it is assumed that these statutory appropriations will be used for the same line item.
- 3 Department of Corrections, Community Services, Parole Subprogram, Work Release Program -- This appropriation remains available for expenditure until the close of the 2020-21 state fiscal year.
- 3a Department of Corrections, Canteen Operation, Operating Expenses -- It is the General Assembly's intent that a portion of the funding for operating expenses be used to purchase soft-soled tennis shoes for inmates with diabetes.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 4, 2020