



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 22-0795
Prime Sponsors: Rep. Williams

Date: February 14, 2022
Bill Status: House Judiciary
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Bill Topic: **LIMIT APPLICATIONS AND CONSIDERATION FOR CLEMENCY**

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 |

The bill requires individuals to exhaust judicial processes before requesting clemency, commutation, or pardon. It minimally increases state workload in FY 2022-23.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill prohibits an applicant for clemency, commutation, or pardon from submitting the application if a resentencing hearing has been requested or scheduled. An applicant must also exhaust all state appeal or administrative processes before applying for clemency. The Department of Corrections must promulgate rules to determine if an individual is incapable of exhausting these processes.

State and Local Expenditures

The bill increases workload in the Department of Corrections and the Department of Law in FY 2022-23 for rulemaking; this can be accomplished within existing appropriations for each agency. If the bill has an impact on DOC's bed or parole caseload, this will be addressed through the annual budget process. As these cases are rare, the bill is not anticipated to drive workload in state or local judicial systems.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Corrections
Judicial

Counties
Law

Governor
Public Safety