



Legislative Council Staff

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Fiscal Note

Drafting Number: LLS 23-0076 **Date:** February 6, 2023
Prime Sponsors: Rep. Duran; Pugliese **Bill Status:** House Judiciary
 Sen. Gardner; Winter F. **Fiscal Analyst:** Aaron Carpenter | 303-866-4918
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Bill Topic: **CRIME VICTIM SERVICES FUNDING**

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 checked="" type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill provides funding to several cash funds related to victim services and extends two funds indefinitely. Starting in FY 2023-24, the bill increases state cash funds expenditures.

Appropriation Summary: For FY 2023-24, the bill requires an appropriation of \$15.0 million to several cash funds, and corresponding appropriations to several state agencies. The bill also impacts a continuously appropriated cash fund. See State Appropriations section for more detail.

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

**Table 1
State Fiscal Impacts Under HB 23-1107**

		Budget Year FY 2023-24	Out Year FY 2024-25
Revenue		-	-
Expenditures	Cash Funds	\$15,000,000	\$15,000,000
	Centrally Appropriated	\$124,863	\$124,863
	Total Expenditures	\$15,124,863	\$15,124,863
	Total FTE	6.8 FTE	6.8 FTE
Transfers¹	General Fund	(\$15,000,000)	(\$15,000,000)
	Cash Funds	\$15,000,000	\$15,000,000
	Net Transfer	\$0	\$0
Other Budget Impacts	General Fund Reserve	\$2,250,000	\$2,250,000

¹ This transfer is made through an appropriation of General Fund to multiple cash funds.

Summary of Legislation

The bill provides funding for several cash funds related to victim services and indefinitely extends the funds set to repeal June 30, 2027, as described below.

Victims and Witness Assistance and Law Enforcement Fund. First, starting in FY 2023-24, the bill requires the General Assembly to appropriate \$3.0 million per year to the Victims and Witness Assistance and Law Enforcement Fund, which is housed in the Judicial Department. Starting in FY 2024-25, the General Assembly may appropriate all or a part of the required \$3.0 million to the Crime Victim Services Fund, the Victims Assistance and Law Enforcement Fund in the Department of Public Safety (DPS), or a combination of both, based on the recommendations of the DPS.

Crime Victim Service Fund. Under current law, the Crime Victim Service Fund is scheduled to repeal July 1, 2027. The bill extends the fund indefinitely.

Victims Assistance and Law Enforcement Fund. The bill requires the General Assembly to annually appropriate at least \$4.5 million to the Victims Assistance and Law Enforcement Fund within the DPS, starting in FY 2023-24.

State Domestic Violence and Sexual Assault Services Fund. The bill requires the General Assembly, starting in FY 2023-24, to appropriate at least \$7.5 million to the State Domestic Violence and Sexual Assault Services Fund within the Department of Human Services (DHS). Finally, under current law, the fund repeals July 1, 2027. The bill extends the fund indefinitely.

State Transfers

Starting in FY 2023-24, the bill requires the General Assembly to appropriate \$15.0 million from the General Fund to a variety of cash funds as shown in Table 2. Starting in FY 2024-25, the exact transfer to the Victims and Witness Assistance and Law Enforcement Fund, the Crime Victim Service Fund, and the Victims Assistance and Law Enforcement Fund may vary based on policy decisions made by the General Assembly.

Table 2
Transfer Under HB 23-1107

	FY 2023-24	FY 2024-25
General Fund	(\$15,000,00	(\$15,000,00
Victims and Witness Assistance and Law Enforcement Fund (Judicial)	\$3,000,000	\$3,000,000 ¹
Victims Assistance and Law Enforcement Fund (DPS)	\$4,500,000	\$4,500,000 ¹
State Domestic Violence and Sexual Assault Services Fund (DHS)	\$7,500,000	\$7,500,000
Total	\$0	\$0

¹ Actual amounts transferred to the Victims and Witness Assistance and Law Enforcement Fund, the Crime Victim Service Fund, and the Victims Assistance and Law Enforcement Fund will be determined by the General Assembly based on recommendations from the DPS.

State Expenditures

Starting in FY 2023-24, the bill will increase state cash fund expenditures by \$15.1 million per year in the Judicial Department, the DPS, and the DHS, as described below.

Judicial Department. Starting in FY 2023-24, expenditures and workload to the Judicial Department will increase to disburse the \$3.0 million provided by the bill to local judicial districts from the Victims and Witness Assistance and Law Enforcement Fund. The distribution of funds can be handled within existing appropriation.

Department of Public Safety. Starting in FY 2023-24, expenditures and workload to the DPS will increase to expend the \$4.6 million transferred to the Victims Assistance and Law Enforcement Fund, and to continue to expend money in the Crime Victim Service Fund. The distribution of funds can be handled within existing appropriation.

Department of Human Services. Starting in FY 2023-24, expenditures in the DHS will increase by the \$7.5 million provided by the bill to the State Domestic Violence and Sexual Assault Services Fund. To manage this additional funding, the DHS requires 6.8 FTE to distribute grants, manage service contracts, and engage with vendors and community organizations. After accounting for administrative expenses, about \$7.0 million per year will be available to provide grants for services to domestic violence and sexual assault victims. More detail can be found in Table 3. The State Domestic Violence and Sexual Assault Services Fund is continuously appropriated to the DHS.

**Table 3
DHS Expenditures Under HB 23-1107**

	FY 2023-24	FY 2024-25
Department of Human Services		
Personal Services	\$533,287	\$533,287
Operating Expenses	\$9,180	\$9,180
Capital Outlay Costs	\$46,690	-
Grants to Community Partners	\$6,910,843	\$6,957,533
Centrally Appropriated Costs ¹	\$124,863	\$124,863
Total Cost	\$7,624,863	\$7,624,863
Total FTE	6.8 FTE	6.8 FTE

¹ Centrally appropriated costs are not included in the bill's appropriation.

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 shown in Table 2.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

Local Government

This bill will increase revenue to, and expenditures by, district attorney's offices to use for the victim's and witness assistance services.

Effective Date

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

State Appropriations

Required transfers. For FY 2023-24, the bill requires appropriations totaling \$15.0 million from the General Fund to three cash funds including:

- \$3.0 million to the Victims and Witness Assistance and Law Enforcement Fund in the Judicial Department;
- \$4.5 million to the Victims Assistance and Law Enforcement Fund in the DPS; and
- \$ 7.5 million to the State Domestic Violence and Sexual Assault Services Fund in the DHS.

Department of Public Safety. In addition, the bill requires an appropriation of \$4.5 million from the Victims Assistance and Law Enforcement Fund to the Department of Public Safety.

Judicial Department. The Judicial Department does not require an appropriation from the Victims and Witness Assistance and Law Enforcement Fund because the bill requires the department to distribute \$3.0 million. The fiscal note assumes that this provision constitutes sufficient spending authority and that no additional appropriation is required.

Department of Human Services. Finally, the State Domestic Violence and Sexual Assault Services Cash Fund is continuously appropriated to the Department of Human Services; therefore no additional appropriations are required. The DHS requires 6.8 FTE for the program.

State and Local Government Contacts

District Attorneys
Judicial

Human Services
Public Safety

Information Technology