



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated February 6, 2023)

Drafting Number: LLS 23-0076 **Date:** April 4, 2023
Prime Sponsors: Rep. Duran; Pugliese **Bill Status:** House Appropriations
 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 \$14.0 million to several cash funds, and corresponding appropriations to several state agencies. The bill also impacts continuously appropriated cash funds. See State Appropriations section for more detail.

Fiscal Note Status: The fiscal note reflects the introduced bill, as amended by the House Judiciary Committee

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	\$64,929	\$64,929
	Total Expenditures	\$15,064,929	\$15,064,929
	Total FTE	3.5 FTE	3.5 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	\$2,100,000	\$2,100,000

¹ Of this transfer, \$14.0 million is made through an appropriation of General Fund to multiple cash funds and the remaining \$1.0 million is transferred by the State Treasurer.

Summary of Legislation

The bill provides funding for several cash funds related to victim services and indefinitely extends the funds set to repeal in 2027 under current law, 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.

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. Starting in FY 2024-25, the General Assembly may decrease the appropriation and instead appropriate the difference between the amount actually appropriated and the minimum amount required to the Crime Victim Services Fund, based on the recommendations of the DPS.

State Domestic Violence and Sexual Assault Services Fund. The bill requires the General Assembly, starting in FY 2023-24, to appropriate at least \$6.5 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.

Community Crime Victims Grant Program. Starting on September 1, 2023, the bill requires the State Treasurer to annually transfer \$1.0 million to the Community Crime Victims Grant Program Cash Fund within the Colorado Department of Public Health and Environment (CDPHE). If Senate Bill 23-160, the sunset bill for the Community Crime Victims Grant Program, does not pass, the bill instead transfers unexpended and unencumbered money into the General Fund on August 31, 2023.

State Transfers

Starting in FY 2023-24, the bill transfers or appropriates \$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 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 23-1107¹

	FY 2023-24	FY 2024-25
General Fund	(\$15,000,000)	(\$15,000,000)
Victims and Witness Assistance and Law Enforcement Fund (Judicial)	\$3,000,000	\$3,000,000
Victims Assistance and Law Enforcement Fund (DPS)	\$4,500,000	\$4,500,000 ²
Community Crime Victims Grant Program Cash Fund (CDPHE)	\$1,000,000	\$1,000,000
State Domestic Violence and Sexual Assault Services Fund (DHS)	\$6,500,000	\$6,500,000
Total	\$0	\$0

¹ The transfers shown are all transferred through appropriation, except for money to the Community Crime Victim Grant Program Cash Fund, which is transferred by the State Treasurer.

² Actual amounts transferred to 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, the CDPHE 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 appropriations.

Department of Public Safety. Starting in FY 2023-24, expenditures and workload in the DPS will increase to expend the \$4.5 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 Public Health and Environment. The bill increases expenditures in the CDPHE by \$1.0 million per year to provide additional funding to the Community Crime Victims Grant Program. The distribution of the additional funds can be handled within existing appropriations.

Department of Human Services. Starting in FY 2023-24, expenditures in the DHS will increase by the \$6.5 million provided by the bill to the State Domestic Violence and Sexual Assault Services Fund. To manage this additional funding, the DHS requires 3.5 FTE to distribute grants, manage service contracts, and engage with vendors and community organizations. After accounting for administrative expenses, about \$6.2 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	\$281,521	\$281,521
Operating Expenses	\$4,725	\$4,725
Capital Outlay Costs	\$26,680	-
Grants to Community Partners	\$6,187,074	\$6,213,754
Centrally Appropriated Costs ¹	\$64,929	\$64,929
Total Cost	\$6,564,929	\$6,564,929
Total FTE	3.5 FTE	3.5 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. Reserve amounts are based on the \$14.0 million appropriated from the General Fund to the various cash funds, and does not include the \$1.0 million transferred by the State Treasurer to the Community Crime Victims Grant Program Cash Fund.

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.

Technical Note

The bill does not specify the source of the transfer to the Community Crime Victims Grant Program will come from. The fiscal note assume it will come from the General Fund.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature; except that section 6 of the bill, which concerns the Community Grant Program, takes effect upon the effective date of Senate Bill 23-160. If SB 23-160 does not pass, section 5 of the bill takes effect.

State Appropriations

Appropriations to cash funds. For FY 2023-24, the bill requires appropriations totaling \$14.0 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
- \$6.5 million to the State Domestic Violence and Sexual Assault Services Fund in the DHS.

Department of Public Safety. 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. 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 3.5 FTE for the program.

Department of Public Health and Environment. Money in the Community Crime Victims Grant Program Cash Fund is continuously appropriated to the CDPHE. Therefore, no appropriation is required.

State and Local Government Contacts

District Attorneys
Judicial

Human Services
Public Health and Environment

Information Technology
Public Safety