

CHAPTER 495

APPROPRIATIONS

HOUSE BILL 24-1181

BY REPRESENTATIVE(S) Bird, Sirota, Taggart, Mauro, Snyder, McCluskie;
also SENATOR(S) Zenzinger, Bridges, Kirkmeyer.

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, 2023. In Session Laws of Colorado 2023, section 2 of chapter 474, (SB 23-214), **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**

(I) MANAGEMENT

(A) Executive Director's Office Subprogram

Personal Services	4,507,100	4,263,295 (33.3 FTE) (41.0 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	74,635,154	73,061,188	1,573,966 ^b		
Short-term Disability ³	659,914	648,249	11,665 ^b		
S.B. 04-257 Amortization Equalization Disbursement ³	19,313,837	18,924,777	389,060 ^b		
S.B. 06-235 Supplemental Amortization Equalization Disbursement ³	19,313,837	18,924,777	389,060 ^b		
Salary Survey ³	28,223,443	27,804,611	418,832 ^b		

PERA Direct Distribution ³	2,357,781	2,326,626	31,155 ^b		
Overtime ⁴	35,340,753	35,340,753			
	36,374,330	36,374,330			
Incentives and Bonuses ^{4,5}	17,605,726	17,605,726			
Shift Differential	11,047,379	11,015,805	31,574 ^b		
Temporary Employees Related to Authorized Leave	2,025,459	2,025,459			
Workers' Compensation	6,494,251	6,346,831	147,420 ^b		
Operating Expenses	408,939	318,939		5,000 ^a	85,000(1) ^c
	(7.7 FTE)				
Legal Services	4,182,213 ^d	4,087,312	94,901 ^b		
Payment to Risk Management and Property Funds	7,368,817	7,201,545	167,272^b		
	14,273,485	13,953,620	319,865 ^b		
Leased Space	6,199,855	6,020,750	179,105 ^b		
Annual Depreciation-Lease Equivalent Payments	659,571	659,571			
Planning and Analysis Contracts	82,410	82,410			
Payments to District Attorneys	681,102	681,102			
Payments to Coroners	32,175	32,175			
IT Accessibility	886,357	886,357			

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Digital Trunk							
Radio Payments	4,453,262		4,453,262				
	2,697,508		2,697,508				
Additional Prison Capacity - Personal Services	646,967		646,967				
	3,143,404		3,143,404				
			(9.0 FTE)				
			(37.8 FTE)				
Additional Prison Capacity - Operating Expenses	1,692,074		1,692,074				
	1,150,425		1,150,425				
Additional Prison Capacity - Facility Start-up	173,537		173,537				
	113,763		113,763				
Additional Prison Capacity - Personnel Start-up	95,500		95,500				
	198,578		198,578				
	<u>249,162,413</u>						
	257,342,996						

^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 ~~\$2,623,583~~ \$2,782,433 shall be from sales revenues earned by Correctional Industries and an estimated ~~\$810,427~~ \$804,170 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, \$4,161,467 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	1,017,253	1,017,253	
		(12.7 FTE)	
Operating Expenses	<u>183,443</u>	153,976	29,467 ^a
	1,200,696		

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

(2) Payments to House State Prisoners⁶

Payments to local jails at a rate of \$75.65 per inmate per day	13,720,292	13,720,292	
	11,213,887	11,213,887	
Payments to in-state private prisons at a rate of \$65.22 per inmate per day ⁷	66,001,988	63,108,602	2,893,386 ^a

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Inmate Education and Benefit Programs at In-state Private Prisons	541,566	541,566				
	<u>80,263,846</u>					
	77,757,441					

^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	5,927,193 4,821,385	5,820,960 4,715,152 (63.8 FTE) (51.2 FTE)		106,233 ^a	
Operating Expenses	473,722 464,072	390,535 380,885		83,187 ^a	
Inspector General Grants	207,912				207,912(I)
Inspector General Start-up	170,208	170,208			
	<u>6,779,035</u> 5,493,369				

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

337,405,990
341,794,502

(2) INSTITUTIONS

(A) Utilities Subprogram

Personal Services	353,837	353,837	
		(3.0 FTE)	
Utilities	<u>26,330,818</u>	24,840,346	1,490,472 ^a
	26,684,655		

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

(B) Maintenance Subprogram

Personal Services	22,379,306		
	(291.2 FTE)		
Operating Expenses	8,506,410		
Maintenance			
Pueblo Campus	<u>2,986,934</u>		
	33,872,650	33,872,650	

(C) Housing and Security Subprogram

Personal Services	186,388,481	186,388,481	
		(3,002.3 FTE)	
Operating Expenses	<u>2,053,926</u>	2,053,926	

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
188,442,407						
(D) Food Service Subprogram						
Personal Services	20,008,068	20,008,068				
		(318.8 FTE)				
Operating Expenses	22,091,933	22,091,933				
Food Service						
Pueblo Campus	2,156,475	2,156,475				
	<u>2,518,729</u>	2,518,729				
	44,256,476					
	44,618,730					
(E) Medical Services Subprogram⁸						
Personal Services	44,275,513	43,984,338		291,175 ^a		
		(409.2 FTE)		(3.0 FTE)		
Operating Expenses	2,660,005	2,660,005				
Purchase of Pharmaceuticals	19,934,521	19,934,521				
	21,687,807	21,687,807				
Hepatitis C Treatment Costs	8,368,384	8,368,384				
External Medical Services	53,778,179	53,778,179				
	56,861,820	56,861,820				

Service Contracts	2,745,978	2,745,978	
	8,245,978	8,245,978	
Indirect Cost Assessment	<u>1,626</u>		1,626 ^a
	131,764,206		
	142,101,133		

^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	2,748,604	
	(38.4 FTE)	
Operating Expenses	<u>2,436,502</u>	
	5,185,106	5,185,106

(G) Superintendents Subprogram

Personal Services	12,587,485	
	(168.0 FTE)	
Operating Expenses	6,450,537	
	7,281,830	
Dress Out	1,006,280	
Start-up costs	14,350	
	<u>12,300</u>	
	20,058,652	20,058,652
	20,887,895	20,887,895

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(H) Youthful Offender System Subprogram							
Personal Services	11,855,454						
	(162.7 FTE)						
Operating Expenses	607,455						
Contract Services	28,820						
Maintenance and Food Service	1,238,283						
	<u>13,730,012</u>		13,730,012				
(I) Case Management Subprogram							
Personal Services	18,163,494						
	(242.3 FTE)						
Operating Expenses	182,167						
Offender ID Program	361,280						
	<u>18,706,941</u>		18,706,941				
(J) Mental Health Subprogram							
Personal Services	12,841,159		12,841,159				
			(162.6 FTE)				
Operating Expenses	329,266		329,266				

Medical Contract Services	<u>5,988,518</u>	5,988,518
	19,158,943	

(K) Inmate Pay Subprogram

	2,373,004	2,373,004
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(L) Legal Access Subprogram

Personal Services	1,548,414	
	(24.0 FTE)	
Operating Expenses	299,602	
Contract Services	<u>70,905</u>	
	1,918,921	1,918,921

~~506,151,973~~
517,680,397

(3) SUPPORT SERVICES

(A) Business Operations Subprogram

Personal Services	6,887,848	6,049,821	51,175 ^a	786,852 ^b	
		(90.2 FTE)		(13.8 FTE)	
Operating Expenses	234,201	234,201			
Business Operations Grants	2,500,000				2,500,000(I)
Indirect Cost Assessment	<u>321,238</u>				321,238(I)
	9,943,287				

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

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

^b Of this amount, \$625,376 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 \$161,476 shall be from statewide indirect cost recoveries.

(B) Personnel Subprogram

Personal Services	2,015,703	2,015,703
		(29.0 FTE)
Operating Expenses	<u>89,931</u>	\$89,931
	2,105,634	

(C) Offender Services Subprogram

Personal Services	3,370,084	
	(44.1 FTE)	
Operating Expenses	<u>62,044</u>	
	3,432,128	3,432,128

(D) Communications Subprogram

Operating Expenses	1,640,547	1,640,547
	1,640,097	1,640,097
Dispatch Services	<u>328,510</u>	328,510
	1,969,057	
	1,968,607	

(E) Transportation Subprogram

Personal Services	2,395,403	2,395,403		
		(41.0 FTE)		
Operating Expenses	483,538	483,538		
Vehicle Lease Payments	<u>3,459,902</u>	2,947,837	512,065 ^a	
	6,338,843			

^a Of this amount, an estimated \$488,637 shall be from sales revenues earned by Correctional Industries and an estimated \$23,428 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

Personal Services	2,461,357			
	(33.0 FTE)			
Operating Expenses	287,221			
	<u>345,524</u>			
	2,748,578	2,748,578		
	2,806,881	2,806,881		

(G) Information Systems Subprogram

Operating Expenses	1,396,409	1,396,409		
	1,396,209	1,396,209		
Payments to OIT	31,220,541	31,090,469	130,072^a	
	30,337,182	30,210,790	126,392 ^a	
CORE Operations	<u>337,446</u>	305,391	16,326 ^a	15,729 ^b
	32,954,396			

	5,647,170	5,647,170			
(B) Education Subprogram					
Personal Services	14,751,589	14,751,589			
		(193.8 FTE)			
Operating Expenses	4,605,431	3,118,746	1,197,770 ^a	288,915 ^b	
Contract Services	237,128	237,128			
Education Grants	80,060		10,000 ^c	42,410 ^d	27,650(I)
	(2.0 FTE)				
Start-up Costs	<u>278,000</u>	278,000			
	19,952,208				

^a Of this amount, an estimated \$667,412 shall be from sales revenues earned by the Canteen Operation and an estimated \$530,358 shall be from sales revenues earned by vocational programs.

^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	7,796,422	7,796,422			
		(119.5 FTE)			
Operating Expenses	<u>77,552</u>		77,552 ^a		
	7,873,974				

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

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(D) Drug and Alcohol Treatment Subprogram							
Personal Services	6,135,399		6,135,399				
			(87.4 FTE)				
Operating Expenses	117,884		117,884				
Contract Services	2,312,251		2,312,251				
Treatment Grants	<u>126,682</u>					126,682 ^a	
	8,692,216						
^a 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	3,449,790		3,418,556		31,234 ^a		
			(55.8 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)
	3,850,163						

^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	487,520	
	(8.0 FTE)	
Operating Expenses	<u>17,912</u>	
	505,432	505,432

46,521,163

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services	20,596,754	20,596,754	
	21,517,226	21,517,226	
		(314.5 FTE)	
		(326.2 FTE)	
Operating Expenses	2,875,425	2,875,425	
Parolee Supervision and Support Services	8,736,531	4,752,911	3,983,620 ^a
Wrap-Around Services Program	1,787,126	1,787,126	
Insurance Payments	389,196	389,196	
Grants to Community-based Organizations for Parolee Support	7,036,014	7,036,014	
Community-based Organizations Housing Support	500,000	500,000	

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	\$	\$	\$	\$	\$	\$	\$
Parolee Housing Support	<u>500,000</u>		500,000				
	42,421,046						
	43,341,518						

^a This amount 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) Community Supervision Subprogram

(1) Community Supervision

Personal Services	4,445,753		4,445,753				
			(48.0 FTE)				
Operating Expenses	505,042		505,042				
Psychotropic Medication	31,400		31,400				
Community Supervision Support Services	<u>2,347,149</u>		2,307,592			39,557 ^a	
	7,329,344						

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

(2) Youthful Offender System Aftercare

Personal Services	574,703	
	(8.0 FTE)	
Operating Expenses	141,067	
Contract Services	879,984	
	<u>1,595,754</u>	1,595,754

(C) Community Re-entry Subprogram

Personal Services	2,720,328	2,720,328	
		(42.6 FTE)	
Operating Expenses	146,702	146,702	
Offender Emergency Assistance	96,768	96,768	
Contract Services	190,000	190,000	
Offender Re-employment Center	100,000	100,000	
Community Reintegration Grants	39,098		39,098(I)
	<u>3,292,896</u>		(1.0 FTE)

~~54,639,040~~

55,559,512

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(6) PAROLE BOARD						
Personal Services	1,875,940					
	(20.5 FTE)					
Operating Expenses	107,890					
Contract Services	242,437					
Administrative and IT Support	187,236					
	<u>(2.0 FTE)</u>					
	2,413,503	2,413,503				
(7) CORRECTIONAL INDUSTRIES						
Personal Services	12,335,616			4,509,761 ^a	7,825,855 ^b	
				(4.1 FTE)	(102.9 FTE)	
Operating Expenses	5,846,798			1,546,956 ^a	4,299,842 ^b	
Raw Materials	30,547,207			6,055,860 ^a	24,491,347 ^b	
Inmate Pay	2,750,000			1,114,590 ^a	1,635,410 ^b	
Capital Outlay	1,219,310			309,259 ^a	910,051 ^b	
Indirect Cost Assessment	<u>353,697</u>			119,983 ^a	233,714 ^b	
	53,052,628					

^a Of these amounts, an estimated \$13,506,409 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 \$22,667,692 is from sales to other state agencies and an estimated \$16,728,527 is from the Department of Revenue for the purchase of license plates.

(8) CANTEEN OPERATION

Personal Services	2,542,418			
	(33.0 FTE)			
Operating Expenses	18,930,041			
Inmate Pay	73,626			
Indirect Cost Assessment	<u>110,574</u>			
		21,656,659		21,656,659(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)	\$1,082,512,096	\$988,667,494		\$45,669,318*	\$44,928,789	\$3,246,495 ^b
	<u>\$1,098,523,798</u>	<u>\$1,004,530,283</u>	<u> </u>	<u>\$45,818,231^a</u>	<u> </u>	<u> </u>

^a Of this amount, \$21,656,659 contains an (I) notation.

^b This amount contains an (I) notation.

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

- 3 Department of Corrections, Management, Executive Director's Office Subprogram, Short-term Disability; S.B. 04-257 Amortization Equalization Disbursement; S.B. 06-235 Supplemental Amortization Equalization Disbursement; Salary Survey; and PERA Direct Distribution -- Of these amounts, \$8,794,917 General Fund is for non-base building compensation for correctional officers, nurses, state teachers, social workers, legal assistants, health professionals, and health care technicians employed by the Department of Corrections at its 24/7 facilities for state fiscal year 2023-24 only.
- 4 Department of Corrections, Management, Executive Director's Office Subprogram, Overtime; and Incentives and Bonuses -- In addition to the transfer authority provided in section 24-75-108, C.R.S., the department of corrections is authorized to transfer up to 5.0 percent of the total appropriation for overtime and incentives and bonuses between those two line items for the purposes of providing overtime pay and incentives and bonuses to employees.
- 5 Department of Corrections, Management, Executive Director's Office Subprogram, Incentives and Bonuses -- It is the General Assembly's intent that \$9,064,000 of this appropriation be used for housing stipends for departmental staff, including new recruits.
- 6 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- In addition to the transfer authority provided in section 24-75-108, C.R.S., 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.
- 7 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to in-state private prisons at a rate of \$65.22 per inmate per day -- It is the General Assembly's intent that in-state private prisons use funds provided through this appropriation to provide levels of staffing and services similar to comparable state prisons to the extent possible.
- 8 Department Of Corrections, Institutions, Medical Services Subprogram--In addition to the transfer authority provided in section 24-75-108, C.R.S., the Department of Corrections is authorized to transfer up to 5.0 percent of the total appropriation for purchase of pharmaceuticals, Hepatitis C treatment costs, and external medical services between those line items for the purposes of providing pharmaceuticals, Hepatitis C Treatments, and external medical services for inmates.

SECTION 2. Appropriation to the department of corrections for the fiscal year beginning July 1, 2023. In Session Laws of Colorado 2023, **amend** section 12 (1)(b) of chapter 191, (SB 23-039), as follows:

Section 12. **Appropriation.** (1)(b) \$26,385 for use by ~~support services~~ institutions for personal services related to the ~~business operations subprogram~~ legal access subprogram, which amount is based on an assumption that the program will require an additional 0.4 FTE;

(c) \$2,250 for use by ~~support services~~ institutions for operating expenses related to the ~~business operations subprogram~~ legal access subprogram;

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: February 27, 2024