



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 25-1146: JUVENILE DETENTION BED CAP

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**Prime Sponsors:**

Rep. Bird; Woog

**Fiscal Analyst:**

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**Fiscal note status:** This fiscal note reflects the introduced bill.

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### Summary Information

**Overview.** The bill increases the detention bed cap in the Division of Youth Services and establishes a formula to determine the cap in future years.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures
- Local Government

**Appropriations.** For FY 2025-26, the bill requires an appropriation of \$6.5 million to the Department of Human Services

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**Table 1**  
**State Fiscal Impacts**

<b>Type of Impact<sup>1</sup></b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>
State Revenue	\$0	\$0
State Expenditures	\$6,457,766	\$9,126,312
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	71.9 FTE	102.5 FTE

<sup>1</sup> The fund sources for these impacts are shown in the table below.

**Table 1A**  
**State Expenditures**

<b>Fund Source</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>
General Fund	\$6,319,811	\$8,928,785
Cash Funds	\$0	\$0
Federal Funds	\$137,955	\$197,527
Centrally Appropriated	\$0	\$0
<b>Total Expenditures</b>	<b>\$6,457,766</b>	<b>\$9,126,312</b>
<b>Total FTE</b>	<b>71.9 FTE</b>	<b>102.5 FTE</b>

## Summary of Legislation

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The bill increases the juvenile detention bed cap in the Division of Youth Services (DYS) from 215 to 254 for FY 2025-26. For FY 2026-27 and future years, the cap is set as:

- 125 percent of the juvenile detention average daily population projection from the Division of Criminal Justice (DCJ) in the Colorado Department of Public Safety; except that
- the number of juveniles held in detention for a delinquent act that would constitute a class 1 felony if it were committed by an adult are excluded from the cap.

Finally, the bill sets the minimum appropriation for juvenile detention beds beginning at \$1,359,982 beginning in FY 2025-26. Correspondingly, the bill removes a requirement that \$1,359,982 of the DYS' annual appropriation be used for emergency detention beds and decreases funding for non-detention placement by that same amount (from \$3,340,119 to \$1,980,137).

## Background

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### Division of Youth Services

The DYS in the Department of Human Services (CDHS) provides for the care and supervision of youths pre-adjudication or after they are committed to custody of the DYC by district courts. DYS operates [14 secure youth centers](#) serving youth between the ages of 10 to 21. DYS also administers juvenile parole services.

### Emergency Beds

[House Bill 23-1307](#) allowed the DYS to administer 22 temporary emergency beds that did not count toward the detention cap of 215 beds. District courts are permitted to use these beds when there are no available beds in the judicial district, catchment area, or within 50 miles of the full facility.

## Division of Criminal Justice Forecast

The DCJ currently forecasts that the DYS average daily population will be:

- 207 in FY 2025-26,
- 218 in FY 2026-27,
- 234 in FY 2027-28, and
- 250 in FY 2028-29.

## Assumptions

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### Increase in Number of Juvenile Detention Beds

Table 2A and 2B show the number of beds required by the bill and the estimated increase relative to current law. These estimates are based on:

- the current number of beds (including the 22 emergency beds discussed in the Background section);
- the current juvenile detention average daily population projection from the Division of Criminal Justice (DCJ) in the Colorado Department of Public Safety through FY 2028-29;
- 125 percent of the DCJ forecast, as required by the bill; and
- the population of juveniles in detention for a delinquent act that would constitute a class 1 felony if it were committed by an adult, for which there have been an average daily population of 27 over the past two years.

**Table 2A**  
**Required Juvenile Beds under HB 25-1146**

<b>Cost Components</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>	<b>FY 2028-29</b>
DCJ Forecast	-	218	234	250
Additional 25% over Forecast Amount	-	55	59	63
New Bed Cap <sup>1</sup>	254	273	293	313
Juvenile F1 Equivalent Beds	27	27	27	27
<b>Required Beds</b>	<b>281</b>	<b>300</b>	<b>320</b>	<b>340</b>

<sup>1</sup> For FY 2025-26, the cap is determined by the bill, rather than 125 percent of the DCJ forecast.

**Table 2B**  
**Estimated Increase in Juvenile Detention Beds**

<b>Cost Components</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>	<b>FY 2027-28</b>	<b>FY 2028-29</b>
Current Beds (includes emergency)	237	237	237	237
Required Beds	281	300	320	340
<b>Bed Increase</b>	<b>44</b>	<b>63</b>	<b>83</b>	<b>103</b>

## State Expenditures

The bill increases state expenditures in the CDHS by \$6.5 million in FY 2025-26, \$9.1 million in FY 2026-27, and increasing amounts in future fiscal years, assuming the current DCJ forecast. These costs, paid from the General Fund and federal funds, are summarized in Table 3 and discussed below. The bill will also increase costs in the Office of the Child’s Representative starting in FY 2028-29.

**Table 3**  
**State Expenditures**  
**Department of Human Services**

<b>Cost Component</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>
Personal Services	\$5,077,103	\$7,229,571
Operating Expenses	\$92,032	\$131,200
Capital Outlay Costs	\$526,930	\$160,080
Bed Operating Costs	\$670,905	\$960,615
Additional Staff Operating	\$85,450	\$59,200
Non-Detention Placement Savings	-\$1,359,982	-\$1,359,982
All Employee Insurance	\$916,345	\$1,306,295
Supplemental PERA	\$448,983	\$639,332
<b>Total Costs</b>	<b>\$6,457,766</b>	<b>\$9,126,312</b>
<b>Total FTE</b>	<b>71.9 FTE</b>	<b>102.5 FTE</b>

## Department of Human Services

Starting in FY 2025-26, the bill increase costs in the CDHS to hire additional staff for the additional beds and to cover other operating costs for beds, as described below. These costs reflect the current DYS juvenile bed forecast, as discussed in the Assumptions section. In future fiscal years, costs may increase or decrease depending on that forecast.

### Staff

The CDHS requires 78.5 FTE in FY 2025-26, 102.5 FTE in FY 2026-27, 126.5 FTE in FY 2027-28, and 150.5 FTE in FY 2028-29 to hire additional DYS officers and required medical staff, as described below.

### Staffing for DYS Pods

Staffing ratios are based on the assumption that the increase in beds requires an additional 5 pods in FY 2025-26 and 2 additional pods each year after. Staffing for each additional pod is about 9 FTE to ensure 24-hour coverage.

### Supervision

With the addition of more DYS officers, additional supervisors are required. The fiscal note assumes a supervisor ratio of 1:9 supervisor to DYS officers.

### Medical Staff

With the additional beds, the DYS requires additional medical professionals. The fiscal note assumes a 1:6 ratio for social workers to beds and a 1:15 ratio for nurses to beds.

### Additional Support Staff for a New Building

There are currently three unused pods in the DYS system, including one at the Gilliam Youth Services Center and two at the Marvin Foote Youth Services Center. Because the bill requires an additional five pods in the first year, with additional pods coming online in out years, the DYS will need to open a new facility. The DYS has identified a facility, "Horizon," for the remaining pods. This facility requires additional support staff, including individuals to staff a control desk, provide shift supervision, and other medical support, totaling 26 FTE in FY 2025-26.

### Additional Bed Operating Costs

Starting in FY 2025-26, the bill increases costs associated operating each additional bed. This includes costs for medical and pharmacy supplies, food, clothing, hygiene, bedding, and laundry. These costs total \$15,500 per bed per year, or about \$43 per day. Of these costs \$3,135 per bed per year are covered by federal funds.

### Non-Standard Operating Costs

In addition to standard operating costs for FTE, the DYS requires additional equipment such as electronic health record licenses for medical staff, additional one-time staff radios, and additional software licenses for FTE.

## Decreased Appropriation

Starting in FY 2025-26, the bill decreases costs by \$1.4 million in FY 2025-26, by decreasing the required funding needing to go to non-detention placements, as outlined in the bill.

## Office of the Child's Representative

In future years, the bill increases costs in the Office of the Child's Representative to appoint more guardians ad litem (GALs) to represent youth placed in detention. According to current law, a GAL is automatically assigned to a juvenile if they are placed in detention. By increasing the cap, the bill increases the potential number of juveniles placed in detention, thereby increasing the chance of more GAL placements.

Based on the DCJ forecast, the average daily population of DYS population is not projected to pass currently available beds until FY 2027-28 (at 250 beds). Therefore, the fiscal note assumes costs associated with increasing the cap will not be realized until that year. However, if increasing the bed cap increases the use of detention, and detention ADP increases quicker than the current DCJ projection, costs to the office will increase sooner. The fiscal note assumes any adjustments over the DCJ projection will be handled through the annual budget process. For informational purposes, it is estimated each additional detention placement requires an additional \$840 per placement (8 hours of attorney time at \$105 per hour).

## Employee Insurance and Supplemental Retirement

Pursuant to fiscal note and Joint Budget Committee policy, centrally appropriated costs for bills involving more than 20 FTE are appropriated in the bill, rather than through the annual budget process. These costs, which include employee insurance, supplemental employee and retirement payments for the Department of Human Services, are shown in Table 3.

## Local Government

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To the extent increasing the detention caps places more juveniles in detention than another placement, costs to county departments of human services will decrease.

## Effective Date

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The bill takes effect July 1, 2025.

## State Appropriations

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For FY 2025-26, the bill requires an appropriation of \$6,457,766 to the Department of Human Services, and 71.9 FTE. This includes:

- \$6,319,811 from the General Fund; and
- \$137,955 from federal funds.

## State and Local Government Contacts

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Child Welfare

Human Services

Counties

Judicial

District Attorneys

Public Safety