



**Colorado
Legislative
Council
Staff**

SB17-021

**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0150 **Date:** July 21, 2017
Prime Sponsor(s): Sen. Martinez Humenik; **Bill Status:** Signed into Law
 Rep. Singer **Fiscal Analyst:** Kerry White (303-866-3469)

BILL TOPIC: ASSISTANCE TO RELEASED MENTALLY ILL OFFENDERS

Fiscal Impact Summary	FY 2016-2017 (current year)	FY 2017-2018	FY 2018-2019
State Revenue			
<i>State Transfers</i>	\$0	Potential transfer.	
General Fund	(up to 3 million)	Potential transfer.	
Cash Funds	up to 3 million	Potential transfer.	
State Expenditures	<u>See State Expenditures section.</u>		<u>Potential increase.</u>
Cash Funds			Potential increase.
Appropriation Required: None.			
Future Year Impacts: Ongoing potential revenue transfer and expenditure increase.			

Summary of Legislation

The bill establishes a housing program for persons with mental illness transitioning from incarceration. The housing assistance program is to be managed by the Department of Local Affairs (DOLA) and is intended to provide vouchers and other support services for housing assistance to persons with a mental health disorder or co-occurring behavioral health disorder and newly released from the Department of Corrections (DOC), the Division of Youth Corrections (DYC) in the Department of Human Services, or county jail. The DOLA is also required to provide grants or loans for the acquisition, construction, or rehabilitation of rental housing for persons with behavioral or mental health disorders.

The bill creates the Housing Assistance for Persons Transitioning from Incarceration Cash Fund, which consists of moneys transferred from the Department of Public Safety (DPS) and moneys appropriated by the General Assembly.

Notwithstanding any law to the contrary and beginning on July 1, 2016, any money appropriated from the General Fund for community corrections that is unexpended or unencumbered at the close of the fiscal year is transferred to the new cash fund created under the bill for the DOLA housing assistance program. The bill also allows Marijuana Tax Cash Fund moneys to be used for housing, rental assistance, and reentry assistance provided by DOLA.

Background

The DPS was appropriated \$67.4 million in FY 2016-17 for its community corrections program. Over the last several years, between \$700,000 and \$2.2 million dollars in community corrections appropriations have reverted to the General Fund per year. The Long Bill appropriation for DOLA for FY 2017-18 adds \$15.3 million from the Marijuana Tax Cash Fund for affordable housing construction grants and loans, and low-income rental assistance. Based on current law, these funds may be used for housing assistance to people with any type of substance abuse disorder. With the passage of Senate Bill 17-021, those funds can also be used by DOLA to provide services to people with a mental health disorder who are newly released from incarceration, consistent with this bill's provisions.

State Revenue

While the bill does not affect net revenue to the state, it potentially creates a transfer from the General Fund, as described below.

State transfers. Under the bill, a transfer from the General Fund to the Housing Assistance for Persons Transitioning from Incarceration Cash Fund may occur beginning in the current FY 2016-17. The transfer amount will be based on the amount of unspent appropriations to the DPS for community corrections contracts at the end of the preceding fiscal year. At this time, the projected fund balance is approximately \$3 million, which would result in up to \$3 million being transferred at the end of the current FY 2016-17. Future year transfers have not been estimated.

State Expenditures

Beginning in the current FY 2016-17, the bill allows Marijuana Tax Cash Fund moneys to be used for additional housing-related assistance compared with current law. With the passage of SB17-021, these funds may be used to provide services for people with a mental health disorder who are newly released from DOC, DYC, or county jails. The FY 2017-18 Long Bill appropriated \$15.3 million in Marijuana Tax Cash Funds to the DOLA for affordable housing construction grants and loans and low-income rental assistance. SB17-021 does not change the appropriation of these moneys and will not alter the total amount of funding expended by DOLA, but instead allows the funds to be used for a broader scope of clients.

This bill is anticipated to increase workload in FY 2017-18 to identify program and funding needs and expenditures beginning in FY 2018-19 from the new Housing Assistance for Persons Transitioning from Incarceration Cash Fund created by the bill. The amount of the expenditure increase will depend on future appropriations decisions made by the General Assembly and has not been estimated. The fiscal note assumes that the Department of Local Affairs will request funding through the FY 2018-19 budget process. Once the program is established, workload may increase for the DYC and DOC to coordinate with DOLA to connect persons with mental illness to housing services upon release from custody. This increase in workload is anticipated to be minimal.

Local Government Impact

Counties may have increased workload to coordinate with DOLA to connect persons with mental illness to housing services upon release from county jails. This increase in workload is anticipated to be minimal.

Effective Date

The bill was signed into law by the Governor and took effect on June 2, 2017.

State and Local Government Contacts

Corrections
Human Services
Personnel
Treasury

Counties
Information Technology
Public Safety

Health Care Policy and Financing
Local Affairs
Sheriffs