



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

**FINAL
FISCAL NOTE**

Drafting Number:	LLS 18-1278	Date:	May 31, 2018
Prime Sponsors:	Rep. Lee; Wist Sen. Coram	Bill Status:	Postponed Indefinitely
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Bill Topic: PRISON POPULATION ISSUES STUDY COMMITTEE

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill creates a legislative committee to study prison population issues between the 2018 legislative interim and June 30, 2020. It increases state expenditures and workload during FY 2018-19 and FY 2019-20.

Appropriation Summary: For FY 2018-19, the bill requires an appropriation of \$25,911 to the Legislative Department and \$13,110 to the General Assembly.

Fiscal Note Status: The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

**Table 1
State Fiscal Impacts Under HB 18-1425**

		FY 2018-19	FY 2019-20
Revenue		-	-
Expenditures	General Fund	at least \$39,021	at least \$39,021
	Centrally Appropriated	\$2,580	\$2,580
	Total	at least \$41,601	at least \$41,601
	Total FTE	0.4 FTE	0.4 FTE
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

This bill creates a 10-member legislative committee to study state prison population issues. The committee is to meet during the 2018 legislative interim through June 30, 2020, and may meet during the 2019 and 2020 legislative sessions. Committee members must be appointed no later than June 15, 2018, and the chair must convene the committee no later than July 1, 2018. Staff of the Legislative Council and Office of Legislative Legal Services are required to support the work of the committee.

Committee charge. The committee is required to study:

- prison population projections and forecasting models;
- long- and short-term prison population capacity needs; and
- implementation of adjustments to the utilization targets used by the Department of Corrections, Parole Board, and Community Corrections boards.

Meetings and expenses. The committee may meet up to six times per year, refer five bills in each of the 2019 and 2020 legislative sessions, and appoint subcommittees as necessary to provide technical assistance. Nonlegislative members of a subcommittee serve without compensation or reimbursement for expenses. Any expenses that the committee incurs are subject to approval by the chair of the committee and, if approved, must be paid with appropriations made by the General Assembly.

Background

On February 16, 2018, the Governor issued Executive Order B 2018-001 directing the Departments of Public Safety and Corrections to convene a working group to study prison population projections and capacity needs. This working group began meeting during the 2018 legislative session and consists of four representatives from the Department of Corrections, a representative from the Governor's Office of State Planning and Budgeting, two representatives from the Department of Public Safety's Division of Criminal Justice, and one representative from the State Parole Board. Working group meetings have been attended by legislators and staff of General Assembly service agencies.

State Expenditures

This bill increases state General Fund expenditures by at least \$41,601 and 0.4 FTE for FY 2018-19 and FY 2019-20 only. Table 2 and the discussion that follows present the costs of the bill.

Table 2
Expenditures Under HB 18-1425

	FY 2018-19	FY 2019-20
Legislative Department		
Personal Services	\$25,911	\$25,911
Centrally Appropriated Costs*	\$1,986	\$1,986
Dept (Subtotal)	\$27,897	\$27,897
General Assembly		
Per diem	\$6,630	\$6,630
Travel costs	\$6,480	\$6,480
Centrally Appropriated Costs*	\$594	\$594
Dept (Subtotal)	\$13,704	\$13,704
Total Cost	\$41,601	\$41,601
Total FTE	0.4 FTE	0.4 FTE

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

Legislative Department. For FY 2018-19 and FY 2019-20 only, Legislative Council Staff requires 0.3 FTE to staff and provide research and fiscal analyses and the Office of Legislative Legal Services requires 0.1 FTE to provide bill drafting and research for the committee.

General Assembly. Legislators receive a per diem rate of \$110.50 per meeting and a daily reimbursement of \$108 for travel costs for meetings at the Capitol. The fiscal note assumes that all ten members will attend six meetings per year and that all meetings will occur during the interim for each year. If the chair approves additional expenses, costs will further increase. Under the bill these expenses are to be paid from existing appropriations by the General Assembly and have not been estimated.

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 estimated to be \$2,580 in FY 2019-20 and \$2,580 in FY 2020-21.

State agencies. The Department of Corrections, State Parole Board, and Department of Public Safety will have increased workload to assist the committee with its work. As these agencies are currently performing similar work under an executive order, the fiscal note assumes that any increase in workload as a result of this bill is minimal and does not require additional appropriations for any state agency.

Effective Date

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on May 4, 2018.

State Appropriations

For FY 2018-19, the bill requires an appropriation of \$25,911 General Fund to the Legislative Department and an allocation of 0.4 FTE; and an appropriation of \$13,110 to the General Assembly.

State and Local Government Contacts

Legislative Council Staff