



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 18-0216
Prime Sponsors: Sen. Neville T.

Date: January 19, 2018
Bill Status: Senate Finance
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Bill Topic: INCREASE SURCHARGE FOR TRAFFICKING CHILDREN

- Summary of Fiscal Impact:
- State Revenue (checked)
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

This bill increases the surcharge for the crime of human trafficking a minor for involuntary or sexual servitude. Beginning in FY 2018-19, this bill increases state cash fund revenue. This impact continues in future years.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced version of the bill.

Table 1
State Fiscal Impacts Under SB 18-055

Table with 4 columns: Revenue/Expenditures/Transfers, Cash Funds, FY 2018-19, FY 2019-20. Shows revenue of at least \$1,500 for both years and zero expenditures/transfers.

Summary of Legislation

Under current law, a person convicted of a class two felony crime against a child must pay a \$1,500 surcharge. This bill increases the surcharge to \$3,000 for the crimes of human trafficking of a minor for involuntary servitude or sexual servitude. This bill also encourages the court to delay any finding of indigence until six months after conviction and allows the court to request documentation proving indigence in such cases.

Background

There have been five class two felony cases of human trafficking of a minor for involuntary or sexual servitude in the last three years. This bill is not expected to increase the number of cases related to human trafficking of a minor for involuntary or sexual servitude. This analysis assumes the new surcharge created by this bill will apply to at least one case per year increasing the amount charged from \$1,500 to \$3,000. Revenue generated from this surcharge is credited to the Child Abuse Investigation Surcharge Fund (95 percent) and the Judicial Stabilization Fund (5 percent).

State Revenue

Beginning in FY 2018-19, this bill increases state cash fund revenue credited to the Judicial Department from criminal surcharges by at least \$1,500 per year. The exact revenue increase will depend on then number of convictions and indigency status of the offender.

TABOR Refund

The bill increase state revenue subject to TABOR by at least \$1,500 in FY 2018-19 and FY 2019-20. State revenue is not currently expected to exceed the TABOR limit in either year and no refund is required. Therefore, the bill is not expected to impact TABOR refunds in these years. However, refunds in future years when the state next collects a TABOR surplus will be increased.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Judicial

Human Services