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**FINAL
FISCAL NOTE**

Drafting Number: LLS 18-0605
Prime Sponsors: Sen. Fields
Rep. Pabon

Date: June 14, 2018
Bill Status: Postponed Indefinitely
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Bill Topic: PUBLIC SAFETY INFORMATION-SHARING SYSTEM

**Summary of
Fiscal Impact:**

- State Revenue
- State Expenditure
- State Transfer (*minimal*)
- TABOR Refund
- Local Government
- Statutory Public Entity

This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program in FY 2018-19. This bill increases state expenditures and workload in FY 2018-19 only. Local government costs and workload may also be impacted.

**Appropriation
Summary:**

This bill requires and includes an appropriation of \$1.0 million in FY 2018-19.

**Fiscal Note
Status:**

This final fiscal note reflects the reengrossed 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 SB 18-059**

		FY 2018-19	FY 2019-20
Revenue		-	-
Expenditures	Cash Funds	\$1,000,000	-
	Centrally Appropriated	\$5,986	-
	Total	\$1,005,986	-
	Total FTE	0.4 FTE	-
Transfers	Cash Funds	-	-

Summary of Legislation

This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information-Sharing Grant Program. The program is to provide grants to any state or governmental entity or separate legal entity formed by an intergovernmental agreement for the purpose of:

- enhancing, maintaining, operating, or improving any existing statewide law enforcement, public safety, or criminal justice information-sharing system;
- assisting law enforcement, public safety, and criminal justice agencies in gaining access to the information-sharing system;
- increasing communication, interoperability, or data sharing among law enforcement, public safety, and criminal justice agencies; or
- providing grants to other law enforcement, public safety, and criminal justice agencies that want to participate in the information-sharing system.

Grant Cash fund and appropriation. This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Fund (grant fund) and includes an appropriation of \$1.0 million to the grant fund from the Marijuana Tax Cash Fund in FY 2018-19. All unexpended monies in the grant fund must be transferred to the General Fund on July 1, 2021.

Grant administration and awards. This grant program will be administered by the Division of Homeland Security and Emergency Management in the Department of Public Safety (DPS). The DPS is authorized to promulgate grant program rules and award grants based on the applicant's ability to serve law enforcement, public safety, and criminal justice agencies statewide and to operate and maintain a law enforcement information-sharing system. Award announcements must be posted on the DPS website within one day after selection and parties may contest such selections as specified in the bill. The DPS is authorized to spend up to 5 percent on the administration of the grant.

Grant applicant open-bid process. Any grant applicant intending to contract with an independent contractor or vendor as part of a grant application of \$50,000 or more must first facilitate an open-bid request for proposal process.

Grant recipient agreement. Each grant recipient must agree to:

- submit to an audit by the state auditor on the use of any grant money, if such an audit is requested by the General Assembly; and
- report annually to the DPS.

State Transfers

This bill creates a state transfer from the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Fund of any unexpended funds to the General Fund on July 1, 2021. The amount of funds to be transferred is unknown, but is expected to be minimal.

State Expenditures

For FY 2018-19 only, this bill increases state expenditures in the DPS by \$1.0 million and 0.4 FTE as shown in Table 2 and described below.

**Table 2
Expenditures Under SB 18-059**

	FY 2018-19	FY 2019-20
Department of Public Safety		
Personal Services	\$27,400	-
Law Enforcement Information Sharing Grant	\$947,600	-
Legal Services	\$25,000	-
Centrally Appropriated Costs*	\$5,986	-
FTE – Personal Services	0.4 FTE	-
Total Cost	\$1,005,986	-
Total FTE	0.4 FTE	-

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

Department of Public Safety. For FY 2018-19 only, the DPS requires 0.4 FTE to administer the grant program. This includes developing program rules and grant application guidelines, reviewing grant applications, monitoring the use of grant funds, and producing grant funding reports.

Legal Services. For FY 2018-19 only, \$25,000 is needed for contract legal services. This is needed for legal counsel on any open-bid process to contract with a vendor by a grant applicant. Counsel may be needed to assist a state agency wishing to submit a grant application with developing an open-bid process or to provide counsel to DPS on open-bid processes conducted by grant applicants which may be contested 15 days after grant award announcements. These funds are to be reappropriated to the Department of Law and are based on 234 hours of legal support at a rate of \$106.56.

Marijuana Tax Cash Fund. This bill reduces the amount of funds available for other uses in the Marijuana Tax Cash Fund by \$1.0 million in FY 2018-19 only.

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 \$5,986 in both FY 2018-19.

Local Government

The enhancement and expansion of existing statewide information-sharing systems potentially impacts local government law enforcement, public safety, and criminal justice agencies in several ways. First, the use the information-sharing system could decrease costs and workload

to obtain information that was previously obtained from other sources. Second, workload may increase to help grant recipients enhance and improve existing information-sharing systems. Third, costs may increase to the extent that technology is needed to connect to information-sharing systems and grant funds do not cover these costs.

Effective Date

This bill was postponed indefinitely by the House Judiciary Committee on May 1, 2018.

State Appropriations

In FY 2018-19, this bill includes an appropriation of \$1,000,000 and an allocation of 0.4 FTE from the from the Marijuana Tax Cash Fund to the Law Enforcement Information Sharing Grant Program Fund in the Department of Public Safety. Of this \$25,000 is reappropriated to the Department of Law.

State and Local Government Contacts

Counties
Public Safety

Information Technology
Sheriffs

Municipalities