



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1282

**REVISED
FISCAL NOTE**

(replaces fiscal note dated April 18, 2019)

| | | | |
|-------------------------|---|------------------------|---|
| Drafting Number: | LLS 19-1041 | Date: | April 25, 2019 |
| Prime Sponsors: | Rep. Singer; Michaelson Jenet Sen. Smallwood; Donovan | Bill Status: | Senate Judiciary |
| | | Fiscal Analyst: | Aaron Carpenter 303-866-4918 Aaron.Carpenter@state.co.us |

Bill Topic: COURT-APPOINTED SPECIAL ADVOCATE PROGRAM OVERSIGHT

| | | |
|--------------------------------------|---|--|
| Summary of Fiscal Impact: | <input checked="" type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| | <input checked="" type="checkbox"/> State Expenditure | <input type="checkbox"/> Local Government |
| | <input checked="" type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

This bill requires the Office of the Child's Representative (OCR) to contract with a nonprofit state court-appointed special advocate entity and provide program funding. The bill will increase state expenditures beginning in FY 2019-20; may increase state revenue; and requires a one-time transfer of funds.

**Appropriation
Summary:** No appropriation is required.

**Fiscal Note
Status:** This revised fiscal note reflects the reengrossed bill.

Summary of Legislation

The bill requires the Office of the Child's Representative (OCR) to contract with a nonprofit state court-appointed special advocate (CASA) entity and provide funding to the nonprofit beginning July 1, 2019.

The state CASA entity must annually establish a formula to allocate money to local CASA programs, and provide the formula to the OCR by June 15, 2019, and each year thereafter. The state CASA entity must provide an annual report on all CASA activities to the OCR by November 1, 2020. The OCR may seek, accept, and spend gifts, grants, or donations to fund the work of the CASA program.

The bill also creates the State CASA Fund, which is subject to annual appropriation by the General Assembly. Any unencumbered funds from the existing CASA Fund must be transferred to the newly created State CASA Fund by July 1, 2019.

Background

Colorado CASA is a nonprofit network of 18 programs across the state. CASAs are appointed by a judge to advocate for youth who have been abused or neglected. In FY 2018-19, the OCR passed through an appropriation of \$1,550,000 General Fund to fund Colorado CASA.

In September 2018, the Office of the State Auditor published a performance audit of the OCR. The audit found that the OCR had relinquished most of its statutory responsibilities related to local CASA programs to the nonprofit Colorado CASA with no contract or monitoring by the state. The audit recommended that a contract be put into place with the nonprofit and that the state oversee the program directly. In response to the audit, the FY 2019-20 Long Bill (Senate Bill 19-207) increased the staff within OCR in order to comply with all the recommendations in the audit.

State Revenue

The bill authorizes the OCR to seek, accept, and spend gifts, grants, and donations for the CASA Program. No source of gifts, grants, or donations has been identified as of writing. Gifts, grants, and donations are not subject to TABOR.

State Transfers

For FY 2019-20 only, the bill requires a transfer of funds from the existing CASA Fund to the newly created State CASA Fund. The fiscal note assumes that the money in the fund has already been allocated to Colorado CASA for this current fiscal year, so no fund transfer is anticipated to take place.

State Expenditures

Starting in FY 2019-20, workload within the OCR will increase in order to enter into a contract with a state CASA entity and to provide oversight of that entity. Oversight includes monitoring contract compliance, processing the request for proposal processing, monitoring spending, and monitoring reporting requirements. Since OCR received additional staff in SB 19-207 in order to implement the recommendations of the audit, the fiscal note assumes this workload can be accomplished within existing appropriations.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Information Technology Judicial Office of the Child's Representative