

CHAPTER 437

APPROPRIATIONS

SENATE BILL 19-111

BY SENATOR(S) Moreno, Zenzinger, Rankin, Crowder, Gonzales;
also REPRESENTATIVE(S) Esgar, Hansen, Ransom, Benavidez, Coleman, Galindo, Jaquez Lewis, Kipp, Lontine, Mullica, Snyder,
Tipper, Titone, Wilson.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Appropriation to the department of corrections for the fiscal year beginning July 1, 2018. In Session Laws of Colorado 2018, section 2 of chapter 424, (HB 18-1322), **amend** Part II as follows:

Section 2. **Appropriation.**

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Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART II
DEPARTMENT OF CORRECTIONS**

(1) MANAGEMENT**(A) Executive Director's Office Subprogram**

Personal Services	3,500,244	3,256,439			243,805 ^a	
		(22.8 FTE)			(4.0 FTE)	
Restorative Justice Program with Victim-Offender Dialogues in Department Facilities	75,000	75,000				
		(1.2 FTE)				
Health, Life, and Dental	55,775,527	54,092,443		1,683,084 ^b		
Short-term Disability	557,869	541,742		16,127 ^b		
S.B. 04-257 Amortization Equalization Disbursement	16,792,133	16,314,855		477,278 ^b		
S.B. 06-235 Supplemental Amortization Equalization Disbursement	16,792,133	16,314,855		477,278 ^b		
Salary Survey	10,825,001	10,516,363		308,638 ^b		
Shift Differential	8,070,903	8,015,331		55,572 ^b		

Workers' Compensation	7,416,989	7,182,613	234,376 ^b		
Operating Expenses	357,759	267,759		5,000 ^a	85,000(1) ^c
Legal Services	2,030,978 ^d	1,962,690	68,288 ^b		
Payment to Risk Management and Property Funds	5,177,747	4,973,743	204,004 ^b		
Leased Space	4,993,564	4,713,907	279,657 ^b		
Capitol Complex Leased Space	56,421	40,305	16,116 ^b		
Planning and Analysis Contracts	82,410	82,410			
Payments to District Attorneys	681,102	681,102			
Payments to Coroners	<u>32,175</u>	32,175			
	133,217,955				

^a These amounts shall be transferred from the Department of Public Safety from the State Victims Assistance and Law Enforcement Program line item appropriation in the Victims Assistance section of the Division of Criminal Justice. These amounts originate as cash funds from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S.

^b Of these amounts, an estimated \$3,392,531 shall be from sales revenues earned by Correctional Industries and an estimated \$427,887 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding. This amount is included for informational purposes only.

^d Of this amount, \$2,010,232 shall be used to purchase legal services from the Department of Law and \$20,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(B) External Capacity Subprogram						
(1) Private Prison Monitoring Unit						
Personal Services	1,116,234	1,116,234	(15.7 FTE)			
Operating Expenses	<u>213,443</u>	183,976		29,467 ^a		
	1,329,677					

^a This amount shall be from revenues earned from monitoring private Colorado prisons that house out-of-state offenders.

(2) Payments to House State Prisoners^{1,2}

Payments to local jails at a rate of \$54.93 per inmate per day	13,413,234	13,413,234				
Payments to in-state private prisons at a rate of \$57.37 per inmate per day	59,822,088	59,822,088				
Payments to pre-release parole revocation facilities at a rate of \$57.37 per inmate per day	10,765,790	10,765,790				

Inmate Education and Benefit Programs at In-state Private Prisons	541,566	541,566
Inmate Education and Benefit Programs at Pre-release Parole Revocation Facilities	<u>121,151</u>	121,151
	84,663,829	

(C) Inspector General Subprogram

Personal Services	4,241,991	4,135,758 (48.2 FTE)	106,233 ^a	
Operating Expenses	428,873	345,686	83,187 ^a	
Inspector General Grants	<u>207,912</u>			207,912(I)
	4,878,776			

^a These amounts shall be from revenues earned from private prison out of state offender investigations.

224,090,237

(2) INSTITUTIONS

(A) Utilities Subprogram

Personal Services	316,808	316,808 (2.6 FTE)	
Utilities	<u>22,062,941</u>	20,658,871	1,404,070 ^a
	22,379,749		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services	20,104,479				
	(276.8 FTE)				
Operating Expenses	7,114,522				
Maintenance					
Pueblo Campus	<u>2,059,181</u>				
	29,278,182	29,278,182			

(C) Housing and Security Subprogram

Personal Services ³	160,633,723	160,630,776		2,947 ^a	
	162,729,713	162,726,766			
		(2,974.4 FTE)			
Operating Expenses	<u>1,848,941</u>	1,848,941			
	162,482,664				
	164,578,654				

^a This amount shall be from the Corrections Expansion Reserve Fund created in Section 17-1-116, C.R.S.

(D) Food Service Subprogram

Personal Services	18,237,231	18,237,231	
		(317.8 FTE)	
Operating Expenses	17,804,557	17,804,557	
Food Service Pueblo			
Campus	<u>2,000,369</u>	2,000,369	
	38,042,157		

(E) Medical Services Subprogram

Personal Services	38,313,287	38,074,904	238,383 ^a
		(384.5 FTE)	(3.0 FTE)
Operating Expenses	2,579,052	2,579,052	
Purchase of Pharmaceuticals	14,989,802	14,989,802	
Hepatitis C			
Treatment Costs	20,514,144	20,514,144	
Purchase of Medical			
Services from Other Medical			
Facilities	24,893,867	24,893,867	
Service Contracts	2,550,231	2,550,231	
Indirect Cost Assessment	<u>1,522</u>		1,522 ^a
	103,841,905		

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113 (2), C.R.S.

(F) Laundry Subprogram

Personal Services	2,398,955
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	(37.4 FTE) <u>2,197,545</u> 4,596,500		4,596,500				
(G) Superintendents Subprogram							
Personal Services	11,323,461 (156.9 FTE)						
Operating Expenses	5,202,001						
Dress Out	<u>735,433</u> 17,260,895		17,260,895				
(H) Youthful Offender System Subprogram							
Personal Services	10,350,808 (160.7 FTE)						
Operating Expenses	604,705						
Contract Services	28,820						
Maintenance and Food Service	<u>1,029,249</u> 12,013,582		12,013,582				

(I) Case Management Subprogram

Personal Services	17,363,426	
	(247.3 FTE)	
Operating Expenses	172,581	
Offender ID Program	<u>341,135</u>	
	17,877,142	17,877,142

(J) Mental Health Subprogram

Personal Services	10,746,173	10,746,173
		(153.1 FTE)
Operating Expenses	280,766	280,766
Medical Contract Services	<u>4,132,436</u>	4,132,436
	15,159,375	

**(K) Inmate Pay
Subprogram**

2,347,885	2,347,885
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(L) Legal Access Subprogram

Personal Services	1,414,108	
	(21.5 FTE)	
Operating Expenses	299,602	
Contract Services	<u>70,905</u>	
	1,784,615	1,784,615

**(M) Capital Lease
Purchase Payments**

20,255,668	20,255,668 ^a
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a This amount is excluded from the calculation of the required General Fund reserve, pursuant to Section 24-75-201.1 (2)(b), C.R.S.

~~447,320,319~~
449,416,309

(3) SUPPORT SERVICES

(A) Business Operations Subprogram

Personal Services	6,299,274	5,154,702 (89.8 FTE)	41,897 ^a	1,102,675 ^b (10.0 FTE)
Operating Expenses	<u>234,201</u>	234,201		
	6,533,475			

^a This amount shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S.

^b Of this amount, \$1,033,010 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S. and \$69,665 shall be from statewide indirect cost recoveries.

(B) Personnel Subprogram

Personal Services	1,393,681 (18.7 FTE)
Operating Expenses	<u>86,931</u>

1,480,612 1,480,612

(C) Offender Services Subprogram

Personal Services	3,097,919	
	(44.1 FTE)	
Operating Expenses	<u>62,044</u>	
	3,159,963	3,159,963

(D) Communications Subprogram

Operating Expenses	1,627,515	1,627,515
Dispatch Services	<u>224,477</u>	224,477
	1,851,992	

(E) Transportation Subprogram

Personal Services	2,174,797	2,174,797	
		(35.9 FTE)	
Operating Expenses	433,538	433,538	
Vehicle Lease Payments	<u>3,588,635</u>	2,925,476	663,159 ^a
	6,196,970		

^a Of this amount, an estimated \$613,721 shall be from sales revenues earned by Correctional Industries and an estimated \$49,438 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

Personal Services	2,332,114
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(33.0 FTE)						
Operating Expenses	<u>287,131</u>						
	2,619,245		2,619,245				
(G) Information Systems Subprogram							
Operating Expenses	1,391,217		1,391,217				
Payments to OIT	23,104,765		22,970,438		134,327 ^a		
CORE Operations	<u>464,392</u>		409,594		26,470 ^a	28,328 ^b	
	24,960,374						
		47,869,003					

^a Of these amounts, an estimated \$141,180 shall be from Correctional Industries sales to non-state entities and an estimated \$19,617 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from Correctional Industries sales to other state agencies.

(H) Facility Services Subprogram

Personal Services	983,276						
	(9.7 FTE)						
Operating Expenses	<u>83,096</u>						
	1,066,372		1,066,372				

(4) INMATE PROGRAMS

(A) Labor Subprogram

Personal Services	5,368,132	
	(88.7 FTE)	
Operating Expenses	<u>88,017</u>	
	5,456,149	5,456,149

(B) Education Subprogram

Personal Services	13,633,002	13,633,002		
		(193.1 FTE)		
Operating Expenses	4,521,163	2,816,746	1,293,402 ^a	411,015 ^b
Contract Services	237,128	237,128		
Education Grants	80,060		10,000 ^c	42,410 ^d
				27,650(I)
	<u>18,471,353</u>			(2.0 FTE)

^a Of this amount, an estimated \$735,467 shall be from sales revenues earned by vocational programs and an estimated \$557,935 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

^c This amount shall be from gifts, grants, and donations.

^d This amount shall be from the Colorado Department of Education from special education funds.

(C) Recreation Subprogram

Personal Services	6,882,514	6,882,514
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
			(116.7 FTE)				
Operating Expenses	<u>71,232</u>				71,232 ^a		
	6,953,746						

^a This amount shall be from sales revenues earned by the Canteen Operation.

(D) Drug and Alcohol Treatment Subprogram

Personal Services	5,424,050		5,424,050				
			(85.4 FTE)				
Operating Expenses	110,932		110,932				
Services for Substance Abuse and Co-occurring Disorders	1,027,121					1,027,121 ^a	
Contract Services	2,487,199		2,125,947			361,252 ^a	
Treatment Grants	<u>126,682</u>					126,682 ^b	
	9,175,984						

^a These amounts shall be transferred from the Judicial Department from the Offender Treatment and Services line item appropriation in the Probation and Related Services section.

^b This amount shall be from grant funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

(E) Sex Offender Treatment Subprogram

Personal Services	3,110,435	3,079,201	31,234 ^a	
		(54.8 FTE)	(1.0 FTE)	
Operating Expenses	92,276	91,776	500 ^a	
Polygraph Testing	242,500	242,500		
Sex Offender Treatment Grants	<u>65,597</u>			65,597(I)
	3,510,808			

^a These amounts shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

(F) Volunteers Subprogram

Personal Services	434,252			
	(8.0 FTE)			
Operating Expenses	<u>17,912</u>			
	452,164	452,164		

44,020,204

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services	17,889,390	17,889,390		
		(292.2 FTE)		
Operating Expenses	2,610,840	2,610,840		
Parolee Supervision and Support Services	9,094,909	6,906,784	2,188,125 ^a	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Wrap-Around Services Program	1,878,604		1,878,604				
Grants to Community-based Organizations for Parolee Support	1,733,971		1,733,971				
	<u>33,207,714</u>						

^a This amount shall be transferred from the Judicial Department from the Offender Treatment and Services line item appropriation in the Probation and Related Services section. This amount includes \$2,163,125 from the Correctional Treatment Cash Fund and \$25,000 from the General Fund for the provision of day reporting services.

(B) Community Supervision Subprogram

(1) Community Supervision

Personal Services	6,093,776		6,093,776				
			(83.8 FTE)				
Operating Expenses	632,650		632,650				
Psychotropic Medication	131,400		131,400				
Community Supervision Support Services	3,933,598		3,901,123		32,475 ^a		
	<u>10,791,424</u>						

^a This amount shall be transferred from the Department of Public Safety from the Division of Criminal Justice. These amounts originate as federal funds.

(2) Youthful Offender System Aftercare

Personal Services	532,124	
	(8.0 FTE)	
Operating Expenses	141,067	
Contract Services	<u>1,022,396</u>	
	1,695,587	1,695,587

(C) Community Re-entry Subprogram

Personal Services	2,437,735	2,437,735	
		(41.6 FTE)	
Operating Expenses	146,202	146,202	
Offender Emergency Assistance	96,768	96,768	
Contract Services	190,000	190,000	
Offender Re-employment Center	374,000	364,000	10,000 ^a
Community Reintegration Grants	39,098		39,098(I)
	<u>3,283,803</u>		(1.0 FTE)

^a This amount shall be from gifts, grants, and donations.

48,978,528

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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(6) PAROLE BOARD							
Personal Services	1,401,775 (17.5 FTE)						
Operating Expenses	106,390						
Contract Services	<u>272,437</u>						
		1,780,602	1,780,602				
(7) CORRECTIONAL INDUSTRIES							
Personal Services	10,801,161				3,630,158 ^a (42.8 FTE)	7,171,003 ^b (112.2 FTE)	
Operating Expenses	6,689,926				1,817,327 ^a	4,872,599 ^b	
Raw Materials	38,878,810				8,441,080 ^a	30,437,730 ^b	
Inmate Pay	2,592,992				955,343 ^a	1,637,649 ^b	
Capital Outlay	1,406,200				337,094 ^a	1,069,106 ^b	
Correctional Industries Grants	2,500,000						2,500,000(I)
Indirect Cost Assessment	<u>1,019,890</u>				135,538 ^a	293,542 ^b	590,810(I)
		63,888,979					

^a Of these amounts, an estimated \$15,166,540 is from sales to non-state entities and an estimated \$150,000 is from rents and royalties earned on Penitentiary Trust land managed by the State Board of Land Commissioners pursuant to Section 36-1-116 (2), C.R.S.

^b Of these amounts, an estimated \$35,631,415 is from sales to other state agencies and an estimated \$9,850,214 is from the Department of Revenue for the purchase of license plates.

(8) CANTEEN OPERATION

Personal Services	2,118,188				
	(28.0 FTE)				
Operating Expenses	12,851,987				
Inmate Pay	73,626				
Indirect Cost Assessment	<u>81,265</u>				
	15,125,066		15,125,066(I) ^a		

^a This amount shall be from sales revenues earned by the Canteen Operation and is continuously appropriated to the division pursuant to Section 17-24-126 (1), C.R.S.

TOTALS PART II

(CORRECTIONS)	\$893,072,938	\$800,096,300^a		\$38,410,054 ^b	\$51,050,517	\$3,516,067 ^c
	<u>\$895,168,928</u>	<u>\$802,192,290^a</u>				

^a Of this amount \$20,255,668 is excluded from the calculation of the required General Fund reserve, pursuant to Section 24-75-201.1 (2)(b), C.R.S.

^b Of this amount, \$15,125,066 contains an (I) notation.

^c This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

1 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- The Department of Corrections is authorized to transfer up to 5.0 percent of the total appropriation for the external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails and private prison providers.

- 2 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- It is the General Assembly's intent that the department not withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities because appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities.

- 3 Department of Corrections, Institutions, Housing and Security Subprogram, Personal Services -- The amount appropriated in this line item does not include the \$10,673,375 of FY 2018-19 General Fund appropriations for the Department of Corrections set forth in sections 111 and 114 through 123 of Title 17, Article 18, C.R.S. In calculating the amount appropriated in this line item, it is assumed that these statutory appropriations will be used for the same line item.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 2. Appropriation to the department of corrections for the fiscal year beginning July 1, 2017. In Session Laws of Colorado 2017, section 2 of chapter 421, (SB 17-254), **amend** Part II (2)(E) and the affected totals, as the totals are amended by section 1 of chapter 411, (HB 18-1158), Session Laws of Colorado 2018, as follows:

Section 2. **Appropriation.**

**PART II
DEPARTMENT OF CORRECTIONS**

(2) INSTITUTIONS

(E) Medical Services Subprogram

Personal Services	32,101,298	31,862,915 (384.5 FTE)	238,383 ^a (3.0 FTE)
Operating Expenses	2,579,052	2,579,052	
Purchase of Pharmaceuticals	18,612,321 19,190,362	18,612,321 19,190,362	
Purchase of Medical Services from Other Medical Facilities	25,698,644	25,698,644	
Service Contracts	2,524,981	2,524,981	
Indirect Cost Assessment	<u>730</u>		730 ^a

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	81,517,026					
	82,095,067					

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113 (2), C.R.S.

TOTALS PART II

(CORRECTIONS)	\$870,884,685	\$775,914,327 ^a		\$39,182,940 ^b	\$51,620,128	\$4,167,290 ^c
	<u>\$871,462,726</u>	<u>\$776,492,368^a</u>				

^a Of this amount \$20,256,546 is excluded from the calculation of the required General Fund reserve, pursuant to Section 24-75-201.1 (2)(b), C.R.S.

^b Of this amount, \$15,032,522 contains an (I) notation.

^c This amount contains an (I) notation.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 14, 2019