



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 22-0397 Date: June 21, 2022
Prime Sponsors: Sen. Coleman; Hisey Bill Status: Signed into Law
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Bill Topic: WORK OPPORTUNITIES FOR OFFENDERS IN DOC

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

The bill makes updates to work programs and offender wages in the Department of Corrections. It increases state workload starting in FY 2022-23.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

The bill reframes the purpose of Department of Corrections (DOC) work programs and requires offenders to be paid at least the state minimum wage when working for private individuals, among other modifications, as discussed below.

Work programs. The bill changes the focus of DOC work programs to promoting an offender's successful rehabilitation, reentry, and reintegration in to the community, and makes distinctions between internal and external programs within the department.

Offender wages. For external programs, the bill requires private individuals hiring offenders to pay at least the state minimum wage instead of the federal minimum wage. Any wage paid to an offender must be held in an account instead of in a trust. The bill removes provisions allowing the DOC to deduct up to 50 percent of an offenders wage to defray costs of confinement or for incidental expenses. Costs can still be deducted for victim compensation, voluntary payments to the Victim's Assistance and Law Enforcement Fund, and any other payments to support an offender's dependents, among others. Finally, the bill removes DOC's authority to pay the offender the money in their account over installments once they are put on parole or discharged from custody.

State Expenditures

In FY 2022-23, workload will increase in the DOC to update policies, materials, and computer programming to align with the bill. This workload can be accomplished within existing appropriations and ongoing system upgrades.

In addition, to the extent the bill increases the number of wage complaints filed with the Colorado Department of Labor and Employment, expenditures will increase to hear and investigate the complaints. According to department standards, 1.0 FTE can handle 46 investigations. Because it is unknown how many complaints there will be, it is assumed the department will request additional resources through the annual budget process.

Effective Date

This bill was signed into law by the Governor and took effect on March 30, 2022.

State and Local Government Contacts

Corrections
Labor

Information Technology
Law