



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# HB 20-1393

# FINAL FISCAL NOTE

<b>Drafting Number:</b>	LLS 20-1056	<b>Date:</b>	September 28, 2020
<b>Prime Sponsors:</b>	Rep. Esgar; McCluskie Sen. Zenzinger; Rankin	<b>Bill Status:</b>	Signed into Law
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<b>Bill Topic:</b>	<b>EXPAND MENTAL HEALTH DIVERSION PILOT PROGRAM</b>
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<b>Summary of Fiscal Impact:</b>	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

**Budget package bill.** The bill expands the number of mental health pilot programs that divert individuals with mental health conditions to five or more judicial districts. The bill increases and decreases state and local workload on an ongoing basis.

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

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

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## Summary of Legislation

Current law allows up to four judicial districts to administer mental health pilot programs (pilot program) that divert individuals with mental health conditions involved with the criminal justice system for low-level offenses into community treatment. The bill expands the pilot program to five or more judicial districts.

## Background

Established by Senate Bill 18-249, the pilot program began operating in 2019 in the 6th (Archuleta, La Plata, San Juan), 8th (Jackson, Larimer), 16th (Bent, Crowley, Otero), and 20th (Boulder) Judicial Districts. However, the pilot program lacks the number of participants required to provide a valid assessment to the General Assembly on whether the pilot program should be renewed. Other judicial districts have expressed an interest in establishing a pilot program which would allow the number of participants to increase and a statistically valid review to be conducted.

## State Expenditures

The bill increases workload for the Judicial Department to administer and oversee additional pilot programs. The bill may also decrease workload for the trial courts in judicial districts with new pilot programs if they process fewer criminal cases. This workload impact can be conducted within existing appropriations and no change in appropriations is required.

## **Local Government**

The bill increases district attorney workload to participate in the development of additional pilot programs. The bill may also decrease workload and costs for participating county jails due to fewer individuals being convicted and sentenced to a term of incarceration in county jail. The exact impact to any particular jurisdiction will depend on the amount of work required to develop the pilot program and the number of individuals who participate in it.

## **Effective Date**

The bill was signed into law by the Governor and took effect on June 30, 2020.

## **State and Local Government Contacts**

District Attorneys

Judicial