



**Colorado
Legislative
Council
Staff**

SB17-201

**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0318
Prime Sponsor(s): Sen. Cooke; Fields
Rep. Lee

Date: August 10, 2017
Bill Status: Signed into Law
Fiscal Analyst: Amanda Hayden (303-866-4918)

BILL TOPIC: SUNSET DOMESTIC VIOLENCE OFFENDER MANAGEMENT BOARD

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019	
This bill changes and continues a program that would otherwise end September 1, 2017, so the fiscal note shows the new and continuing fiscal impacts.	New	New	Continuation
State Revenue			
State Expenditures			\$341,081
General Fund	Workload change.	Workload change.	267,600
Centrally Appropriated Costs			73,481
FTE Position Change			2.8 FTE
Appropriation Required:	None.		
Future Year Impacts:	Ongoing increase in state expenditures.		

Summary of Legislation

This bill continues the Domestic Violence Offender Management Board (board) within the Department of Public Safety (DPS) until September 1, 2022. The board is scheduled to sunset on September 1, 2017.

In addition, the bill changes the appointing authority for board members from the executive director of the Department of Regulatory Agencies (DORA) to the executive director of DPS. It removes the specific qualifications required for some board members and instead requires that at least three members be licensed mental health professionals. Also, rather than requiring the executive director of DPS to appoint a presiding officer for the board, the bill requires the board to elect one. It imposes a standard four-year term for all board members. The bill shifts the responsibility for the application and review process for treatment providers from DORA to the board. It also notes that in the evaluation of offenders, there must be a procedure for when a treatment provider recommends that an offender does not need treatment.

Background

The Domestic Violence Offender Management Board was created in 2000. It is housed in the Office of Domestic Violence and Sex Offender Management within the Division of Criminal Justice in DPS. Its membership includes law enforcement, prosecuting attorneys, defense attorneys, mental health professionals, victim advocates, and representatives of several state agencies, including the Departments of Corrections, Human Services, Regulatory Agencies, and the Judicial Department. The board is required to adopt and implement a standardized procedure for the treatment and evaluation of domestic violence offenders, develop an application and review process for treatment providers, and research and analyze the effectiveness of treatment standards, guidelines, and programs.

Anyone convicted of a crime in Colorado, the underlying factual basis of which includes an act of domestic violence, must complete a domestic violence evaluation and treatment program overseen by a board-approved treatment provider. Providers assess offenders based on risk and need and then place offenders in one of three levels of treatment, which vary based on the amount of supervision and intervention necessary. Treatment programs generally last between 24 and 37 weeks.

Fiscal Impact of Programs Set to Expire

This bill continues a program in the Department of Public Safety that is scheduled to repeal effective September 1, 2017. Under current law, state agencies may be appropriated funds to wind up the affairs of an expiring program for 12 months following the repeal date. To account for the wind-up period, the impact of extending the program beyond the current repeal date is shown as beginning in FY 2018-19, one year after the repeal date. There is no need for an appropriation of the \$267,600 base funding in FY 2017-18, since the program's authorization has not yet expired, and ongoing funding for the program is included in the department's base budget request for FY 2017-18.

The state expenditures impact for FY 2018-19 reflects the program's anticipated base budget request beginning that year. Based on DPS's budget request for FY 2017-18 for the board, costs are expected to be \$267,600 General Fund and 2.8 FTE in FY 2018-19.

State Expenditures

In addition to the continuation of program expenses described above, changes to the program will affect workload in DPS and DORA. Beginning in FY 2017-18, this bill requires the executive director of DPS to make appointments to the board instead of the executive director of the Department of Regulatory Agencies (DORA), and each individual's workload may change minimally as a result. The bill also shifts workload from DORA to the board to review providers' applications and continuing education requirements and to publish the list of approved providers. No change in appropriations is required for either agency.

Effective Date

The bill was signed into law by the Governor on June 2, 2017, and it became effective on August 9, 2017.

State and Local Government Contacts

Judicial

Public Safety

Regulatory Agencies