SB 18-166

Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

REVISED
FISCAL NOTE
(replaces fiscal note dated February 20, 2018)

Drafting Number:	LLS 18-0554
Prime Sponsors:	Sen. Coram
	Rep. Herod

Date:	April 13, 2018
Bill Status:	House Judiciary
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Bill Topic: CHANGE MAX CRIMINAL PENALTY ONE YEAR TO 364 DAYS

Summary of Fiscal Impact:	☐ State Revenue	☐ TABOR Refund
	⊠ State Expenditure	⊠ Local Government *(minimal)*
	☐ State Transfer	☐ Statutory Public Entity

This bill creates a legislative interim committee to study misdemeanor sentencing. This bill increases state expenditures and workload and local government workload in FY 2018-19 only.

Appropriation Summary: For FY 2018-19 this bill requires an appropriation of $30,515 to the Legislative Department.

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

Table 1
State Fiscal Impacts under SB 18-166

		FY 2018-19	FY 2019-20
Revenue		-	-
Expenditures	General Fund	$30,515	-
	Centrally Appropriated	$5,453	-
	Total	**$35,968**	**-**
	Total FTE	**0.4 FTE**	**-**
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

This bill creates the Legislative Interim Committee on Misdemeanor Sentencing consisting of six members, three from the House of Representatives and three from the Senate. This committee must hold its first meeting by July 1, 2018, and is authorized to meet up to five times to study:

- collateral consequences of a crime with a sentencing range of a year or greater;
- the fiscal impact of misdemeanor sentences on state and local authorities; and
- the appropriate penalty level for misdemeanor offenses.

The committee is authorized to introduce up to five bills in the 2019 legislative session.

State Expenditures

For FY 2018-19 only, this bill increases Legislative Department costs by $35,968 and 0.4 FTE. Judicial Department workload may also increase. These impacts are shown in Table 2 and discussed below.

Table 2
Expenditures Under SB 18-166

Cost Components	FY 2018-19	FY 2019-20
Legislative Department		
Personal Services	$23,960	-
Operating Expenses and Capital Outlay Costs	-	-
Travel and Per Diem	$6,555	-
Centrally Appropriated Costs*	$5,453	-
FTE – Personal Services	0.04 FTE	-
Total	$35,968	
Total FTE	0.4 FTE	

Centrally appropriated costs are not included in the bill's appropriation.

Legislative Department. To provide staffing for this interim committee, 0.4 FTE is needed in FY 2018-19 only. This is for 0.3 FTE for Legislative Council Staff to staff the committee and to conduct research and fiscal analysis and 0.1 FTE for Office of Legislative Legal Services staff to draft legislation and provide legal research. This assumes a starting date of July 1, 2018. FY 2018-19 costs are prorated based on the general fund paydate shift. Travel and per diem costs for six legislators estimated at $218.50 per meeting, for five meetings.

Judicial Department. Workload in the Judicial Department may increase in FY 2018-19 only, to provide information related to state misdemeanor sentencing impacts and collateral consequences. This increase is considered minimal and can be accomplished within existing appropriations.

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Local Government

For FY 2018-19 only, this bill may increase local government workload for municipalities, counties, and local law enforcement to provide information to this interim committee regarding misdemeanor sentencing impacts and collateral consequences. This impact is considered to be minimal.

Effective Date

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

State Appropriations

For FY 2018-19, this bill requires an appropriation of $30,515 General Fund to the Legislative Department as follows:

- $16,879 and 0.3 FTE to the Legislative Council Staff;
- $7,081 and 0.1 FTE to the Office of Legislative Legal Services; and
- $6,555 to the General Assembly for travel reimbursement and per diem.

State and Local Government Contacts

Counties	District Attorneys	Judicial
Municipalities	Public Safety	Sheriffs