



Fiscal Summary

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Measure: Initiative 91 – PENALTIES FOR THEFT AND MOTOR VEHICLE THEFT

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Date: June 13, 2025

Fiscal Summary of Initiative 91

This fiscal summary, prepared by the nonpartisan Director of Research of the Legislative Council, contains a preliminary assessment of the measure's fiscal impact. A full fiscal impact statement for this initiative is or will be available at leg.colorado.gov/bluebook. This fiscal summary identifies the following impact.

State Revenue

The measure minimally increases state revenue from additional criminal fees and fines resulting from misdemeanor cases in Denver County Court moving to felony cases in state courts starting in FY 2027-28.

State Expenditures

The measure increases Judicial Department expenditures by an estimated \$0.8 million in FY 2026-27 and \$1.4 million in FY 2027-28 and in future fiscal years to hire additional judges, public defenders, and parole officers to manage additional and longer cases.

In addition, the initiative increases expenditures in the Department of Corrections by up to \$28.2 million per year starting in FY 2027-28. The exact cost may vary significantly depending on how the measure is implemented and how it is interpreted when future sentencing decisions are made. For example, if the required incarceration must be in the Department of Corrections, followed by mandatory parole, the cost will likely approach the upper end of this range. If time served in county jail prior to conviction counts towards the minimum terms of imprisonment, costs will be lower, likely in the range of \$2.6 million per year. Costs for probation in the Judicial Department and community corrections in the Department of Public Safety may potentially be reduced if the measure is interpreted to require time served in the Department of Corrections in lieu of these alternate placements.

Initiative 91

Local Government

Costs to district attorney offices will increase due to prosecuting longer cases, and costs to county jails will increase to incarcerate additional persons. Revenue and costs to the Denver County Court will decrease from moving certain cases to state court.

Economic Impacts

Incarcerating additional individuals in state prison will reduce workforce participation, which may reduce economic activity from labor and spending and may increase government spending on prisons and social welfare programs. To the extent that the initiative decreases criminal activity or decreases the number of thefts, individuals otherwise affected by such crimes may experience improved economic outcomes.