



**Colorado  
Legislative  
Council  
Staff**

**HB16-1278**

**FINAL  
FISCAL NOTE**

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

**Drafting Number:** LLS 16-0855  
**Prime Sponsor(s):** Rep. Lee  
Sen. Cooke

**Date:** July 5, 2016  
**Bill Status:** Signed into Law  
**Fiscal Analyst:** Amanda Hayden (303-866-4918)

**BILL TOPIC:** RESIDENTIAL DRUG TREATMENT FOR PROBATIONERS

Fiscal Impact Summary	FY 2015-16 <i>(current year)</i>	FY 2016-2017	FY 2017-2018
State Revenue			
State Expenditures	Potential minimal increase.		
<b>Appropriation Required:</b> None.			
<b>Future Year Impacts:</b> Potential minimal increase in state expenditures.			

**Summary of Legislation**

This bill allows the court to require a defendant to participate in drug treatment when sentenced to probation for any offense, rather than just drug offenses. This includes placing offenders in residential drug treatment through community correction programs.

**Background**

Under current law, all offenders sentenced to probation must undergo a substance abuse assessment and must complete treatment recommended as a result of the assessment. The Division of Criminal Justice in the Department of Public Safety administers community corrections treatment programs with 201 beds for intensive residential treatment. Currently, 48 of those beds are reserved for drug offenders requiring residential treatment as a condition of probation. Other outpatient and residential treatment options are available for other offenders needing drug treatment.

**State Expenditures**

Beginning in the current FY 2015-16, the bill may increase state expenditures by a minimal amount in the Department of Public Safety. The bill will grant courts more flexibility in determining which offenders are sentenced to treatment through private providers and which are sentenced to a community corrections program and will result in a more efficient allocation of state-operated intensive residential treatment beds. Approximately 23,000 offenders sentenced to probation or

parole for any offense currently receive substance abuse treatment through one of the private providers licensed by the Office of Behavioral Health in the Department of Human Services. The fiscal note assumes that the bill will result in a shifting of offenders to and from different treatment programs and that any net increase in community corrections bed use will be minimal.

## Effective Date

The bill was signed into law by the Governor and took effect on May 20, 2016.

## State and Local Government Contacts

Corrections  
Human Services  
Municipalities

Counties  
Information Technology

District Attorneys  
Judicial