



**Colorado
Legislative
Council
Staff**

HB17-1150

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 17-0815
Prime Sponsor(s): Rep. Navarro
Sen. Hill

Date: June 15, 2017
Bill Status: Signed into Law
Fiscal Analyst: Amanda Hayden (303-866-4918)

BILL TOPIC: NO BAIL FOR STALKING & DOMESTIC VIOLENCE OFFENDERS

| Fiscal Impact Summary | FY 2017-2018 | FY 2018-2019 |
|---|---|--------------|
| State Revenue | | |
| State Expenditures General Fund | Minimal workload increase and decrease. | |
| Appropriation Required: None. | | |
| Future Year Impacts: Ongoing minimal workload increase and decrease. | | |

Summary of Legislation

This bill prohibits a court from granting bail for individuals awaiting sentencing or appeal if they have been convicted of a class 5 felony act of domestic violence, a second or subsequent offense for stalking that occurs within seven years of the initial offense, or stalking when there was a temporary or permanent court order protecting the victim from the offender.

State Expenditures

This bill may increase or decrease workload in the Judicial Department by a minimal amount. First, the bill may decrease workload in trial courts, as they are no longer required to consider the issue of bail for offenders convicted of felony domestic violence or stalking, in certain circumstances. Second, the bill may increase workload and costs for the Office of the State Public Defender (OSPD). Offenders who hired private attorneys and were subsequently convicted of the above crimes who are denied bail between sentencing hearings or appeals may qualify for representation through OSPD because of their continuing incarceration. The number of new cases assigned to OSPD will depend on how many offenders are convicted of these offenses and the timing between their convictions and sentencing or appeal. The fiscal note assumes that any change in workload for any agency of the Judicial Department can be accomplished within existing appropriations.

Local Government Impact

This bill will increase costs for county governments, as offenders denied bail await sentencing hearings or appeals in jail. The precise impact to local governments has not been estimated and will vary by jurisdiction; the cost to house an offender in county jails varies from \$53 to \$114 per day.

Effective Date

The bill was signed into law by the Governor on May 3, 2017, and takes effect August 9, 2017, assuming no referendum petition is filed.

State and Local Government Contacts

District Attorneys
Judicial

Information Technology
Sheriffs