



**Colorado
Legislative
Council
Staff**

HB17-1172

FISCAL NOTE

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

Drafting Number: LLS 17-0594 **Date:** February 7, 2017
Prime Sponsor(s): Rep. Carver; Navarro **Bill Status:** House Judiciary
Fiscal Analyst: Amanda Hayden (303-866-4918)

BILL TOPIC: PENALTIES FOR CHILD SEX TRAFFICKERS

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
State Expenditures		
General Fund		Potential increase.
Appropriation Required: None.		
Future Year Impacts: Ongoing potential increase in expenditures.		

Summary of Legislation

This bill requires that any person convicted of human trafficking of a minor for sexual servitude be sentenced to the Department of Corrections (DOC) for at least the minimum of the presumptive range for a class 2 felony, 8 years.

Background and Comparable Crime

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of the existing crime that creates a new factual basis for the offense. In the last three years, there have been six convictions for human trafficking of a minor for sexual servitude. Of these, three were African American, two were Caucasian, and one was Indian; three were male and three were female. Human trafficking of a minor for sexual servitude is a class 2 felony and carries a penalty of 8 to 24 years in prison, a fine of \$5,000 to \$1 million, or both.

State Expenditures

Beginning in FY 2017-18, this bill may increase workload in trial courts in the Judicial Department and may increase future costs to the DOC.

Judicial Department. If the eight-year minimum penalty under the bill motivates offenders to reject plea agreements and fight the charges at trial, workload in trial courts may increase. Because of the relatively small number of offenders convicted of this crime over the last three years, the fiscal note assumes that any increase in workload will be minimal and will not require any change in appropriations to the Judicial Department.

Department of Corrections. To the extent that the bill results in longer sentences for offenders convicted of human trafficking of a minor, future costs to the DOC will increase. Based on sentencing data from the Judicial Department, the fiscal note assumes that most offenders already receive prison sentences of eight years or more and that if the DOC requires an adjustment in appropriations, the department will address this need during the annual budget process.

Local Government

If the eight-year minimum penalty under the bill motivates offenders to reject plea agreements and fight the charges at trial, workload for district attorneys may increase. The fiscal note assumes that any increase in workload is minimal.

Effective Date

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Corrections District Attorneys Information Technology Judicial