



**Colorado
Legislative
Council
Staff**

SB17-096

**REVISED
FISCAL NOTE**

(replaces fiscal note dated February 9, 2017)

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

Drafting Number: LLS 17-0827
Prime Sponsor(s): Sen. Lambert
Rep. Lundeen

Date: February 10, 2017
Bill Status: Senate Judiciary
Fiscal Analyst: Chris Creighton (303-866-5834)

BILL TOPIC: RESERVE PEACE OFFICER ACADEMY GRANT PROGRAM

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue	<u>\$7,900</u>	
Cash Funds	7,900	
General Fund	Potential increase.	
State Expenditures	<u>up to \$1,140,492</u>	<u>\$22,119</u>
General Fund	up to 1,134,834	16,183
Centrally Appropriated Costs	5,658	5,936
TABOR Impact		\$30,000
FTE Position Change	0.3 FTE	0.3 FTE
Appropriation Required: \$1,134,834 Department of Public Safety (FY 2017-18).		
Future Year Impacts: None.		

Note: This fiscal note has been revised based on new information provided.

Summary of Legislation

This bill creates the reserve academy grant program in the Division of Homeland Security in the Department of Public Safety (DPS). The program provides a one-time grant to create a reserve peace officer training academy and to train and certify a reserve peace officer auxiliary group. Guidelines for the grant application and the awarding of grants are provided in the bill. Grant funding is from gifts, grants, and donations and appropriations from the General Assembly. A grant award is to be made on or before December 1, 2017. The grant program is repealed July 1, 2019.

Background

Peace officers are authorized to enforce all of the laws of the state and to carry firearms at all times. Currently there are five reserve academies in Colorado that are Peace Officers Standards and Training Board (POST) certified. This includes:

- the El Paso County Sheriff's Office;
- the Highlands Ranch Law Enforcement Training Academy;
- the Jefferson County Sheriff's Office;
- the La Junta Police Department; and
- the Larimer County Sheriff's Office.

Senate Bill 16-111, created the Peace Officer Authority Colorado Mounted Rangers Study Task Force to study and make recommendations regarding whether it is appropriate for the Colorado Mounted Rangers to receive POST certification. On December 19, 2016, this task force recommended to the General Assembly that the Colorado Mounted Rangers should be POST certified. The Colorado Mounted Rangers currently serve as an independent statewide law enforcement auxiliary.

State Revenue

This bill may increase revenue by allowing the DPS to accept gifts, grants, and donations. No amount of gifts, grants, or donations has been identified. Because no cash fund is created by the bill, this analysis assumes gifts, grants, and donations will be credited to the General fund. Revenue from gifts, grants, and donations does not count toward the TABOR revenue limit.

Any person applying to a peace officer training academy must pass a fingerprint background check. The fee for this background check is \$39.50. Assuming 200 applicants will apply to this reserve academy in FY 2017-18, this fee will generate \$7,900 in revenue credited to the Colorado Bureau of Investigation Identification Unit Cash Fund in the DPS.

TABOR Impact

This bill increases state cash fund revenue from fees, which will increase the amount of money required to be refunded under TABOR for FY2018-19. TABOR refunds are paid out of the General Fund. Since the bill increases the TABOR refund obligation without a corresponding change in General Fund revenue, the amount of money available in the General Fund for the budget will decrease by an identical amount.

State Expenditures

For FY 2017-18, this bill increases costs in the DPS by up to \$1,140,492 and 0.3 FTE. For FY218-19, the DPS costs are increased by \$22,119 and 0.3 FTE. Workload is also increased in the Department of Law and the Department of Corrections. These impacts are shown in Table 1 and discussed below.

Table 1. Expenditures Under SB17-096		
Cost Components	FY 2017-18	FY 2018-19
Personal Services	\$14,834	\$16,183
FTE	0.3 FTE	0.3 FTE
Peace Officer Auxiliary Grant	up to 1,120,000	0
Centrally Appropriated Costs*	5,658	5,936
TOTAL	up to \$1,140,492	\$22,119

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

Department of Public Safety. For FY 2017-18, this bill increases the DPS General Fund expenditures by up to \$1,120,000 for grant funding to be awarded to create a reserve peace officer training academy, and to train and certify a reserve peace officer auxiliary group. This cost is based on other similar training programs and is estimated to cost up to \$5,600 per participant and assumes 200 participants. Costs for this academy are still being determined and may end up being less than \$5,600 per participant. The grant funds will be awarded by December 1, 2017.

Costs are further increased in FY 2017-18 for 0.3 FTE to administer the grant program. This analysis assumes a July 1, 2017, start date and is prorated to reflect the General Fund payday shift. New FTE will solicit gifts, grants, and donations; create grant program rules, guidelines; and the grant application and funding distribution time frames. This FTE will also solicit grant applications, review grant applications received, award the grant, and track the use of grant funds. In FY 2018-19, this FTE will continue to provide administrative oversight and technical assistance to the grant recipient and prepare reports on the use of grant funding. This position will be eliminated when the grant program repeats July 1, 2019.

The Colorado Bureau of Investigation, in the DPS performs fingerprint background checks for all applicants to a peace officer training program. A fee of \$39.50 is charged to cover the cost of this background check. This analysis assumes all 200 participants will be required to pass a background check, which increases costs by \$7,900 in FY 2017-18. These costs will be paid using existing appropriations.

Department of Law. This bill increases workload in the Department of Law to conduct a sunrise POST review and certify a reserve peace officer auxiliary group. The Department of Law may also provide legal support to the Division of Homeland Security on the promulgation of grant program rules. These workload impacts can be addressed within existing appropriations.

Other state agencies. This bill may increase workload other state agencies that have peace officers to review and update policies regarding peace officer employees that may volunteer for the peace officer auxiliary group created by this bill. This workload increase is assumed to be minimal.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated in the fiscal note for informational purposes and summarized in Table 2.

Table 2. Centrally Appropriated Costs Under SB17-096		
Cost Components	FY 2017-18	FY 2018-19
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$2,638	\$2,641
Supplemental Employee Retirement Payments	1,329	1,450
Indirect Costs	1,691	1,845
TOTAL	\$5,658	\$5,936

State Appropriations

For FY 2017-18, this bill requires a General Fund appropriation of \$1,134,834 and an allocation of 0.3 FTE to the Department of Public Safety.

Effective Date

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

State and Local Government Contacts

Corrections
Law

Governor
Local Affairs

Information Technology
Public Safety