



Legislative
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HB 19-1064

**FINAL
FISCAL NOTE**

Drafting Number: LLS 19-0645
Prime Sponsors: Rep. Sullivan; Baisley
 Sen. Foote; Cooke
Date: July 25, 2019
Bill Status: Signed into Law
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Bill Topic: VICTIM NOTIFICATION CRIMINAL PROCEEDINGS

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill removes opt-in requirements for a victim to receive notifications of criminal proceedings and instead automatically enrolls them. The bill will increase state and local expenditures on an ongoing basis.

Appropriation Summary: The bill requires and includes a General Fund appropriation of \$1,084,542 in FY 2019-20 to the Department of Corrections.

Fiscal Note Status: This fiscal note reflects the enacted bill.

**Table 1
State Fiscal Impacts Under HB 19-1064**

		FY 2019-20	FY 2020-21
Revenue		-	-
Expenditures	General Fund	\$1,084,542	\$581,406
	Centrally Appropriated	\$125,162	\$142,154
	Total	\$1,209,704	\$723,560
	Total FTE	9.1 FTE	10.0 FTE
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

Under current law, eligible victims must opt-in to receive various notices concerning the offender who committed the crime against them. Crimes for which a victim may request notifications include, but are not limited to, murder, manslaughter, assault, kidnaping, and sexual assault. These notices include, among others:

- annual updates of the status of a cold case;
- notifications about an offender's probation;
- information about an offender in the Department of Corrections (DOC); and
- information about an offender in one of the state's mental health hospitals.

The bill removes the opt-in requirements, and instead automatically enrolls victims to receive notices. Probation victims will automatically receive notifications only when offenders abscond from probation. Finally, the bill appropriates \$300,000 in FY 2019-20, to the Community Crime Victims Grant Program in the Colorado Department of Public Health and Environment (CDPHE).

Assumptions

Under the bill, the fiscal note assumes there will be:

- an additional 19,821 victims per year requiring notification about offenders in the DOC based on the estimated number of victims of offenders currently in the DOC for a covered crime for which a victim has not opted-in to receive notifications;
- an additional 16,615 victims per year requiring notification about parole hearings, based on the average number of parole hearings per year where a victim has not opted-in to receive notification; and
- expenditures will be incurred starting on July 1, 2019.

The fiscal note also assumes current utilization rates and notification methods will continue under this bill.

State Expenditures

The bill will increase state General Fund expenditures by \$1,209,704 and 9.1 FTE in FY 2019-20 and \$723,560 in FY 2020-21 and 10.0 FTE, as shown in Table 2 and discussed below.

**Table 2
Expenditures Under HB 19-1064**

Cost Components	FY 2019-20	FY 2020-21
Department of Corrections		
Personal Services	\$459,475	\$555,564
Operating Expenses and Capital Outlay Costs	\$55,675	\$9,500
Other Costs	\$29,392	\$16,342
Office Space Renovation	\$240,000	-
Centrally Appropriated Costs*	\$125,162	\$142,154
FTE – Personal Services	9.1 FTE	10.0 FTE
Dept Abbrev (Subtotal)	\$909,704	\$723,560
Department of Public Health and Environment		
Community Crime Victims Grant Program	\$300,000	-
Dept Abbrev (Subtotal)	\$300,000	\$0
Total	\$1,209,704	\$723,560
Total FTE	9.1 FTE	10.0 FTE

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

Department of Corrections. The DOC requires 10.0 FTE including 6.0 FTE to notify all victims of covered crimes about offenders in the DOC, 1.0 FTE to notify all victims about parole hearings, 2.0 FTE to assist an increased number of victims in attending parole hearings, and 1.0 FTE to assist the increased number of victims that may participate in the Victim Offender Dialogue program. First-year costs are prorated for the General Fund Paydate Shift. Costs for office space renovations to accommodate 10.0 new FTE are also included.

In addition, in FY 2019-20, the DOC will have an increase in costs of \$29,392 in FY 2019-20 and \$16,342 per year starting in FY 2020-21 for various other operating costs. These costs include software licensing, trainings, drug tests, postage, and basic training for new hires.

Colorado Department of Public Health and Environment. For FY 2019-20 only, General Fund expenditures to the Community Crime Victims Grant Program will increase by \$300,000 to implement the Community Crime Victims Grant Program.

Judicial Department. This bill will increase workload in the Judicial Department starting in FY 2019-20, to notify victims about any offender who absconds from probation. In addition, workload to the trial courts will increase to notify more victims about an offender who was found not guilty for reason of insanity and is petitioning the court to remove their name from the central offender registry. The fiscal note assumes that these notification increases can be handled within existing appropriations.

Parole Board. To the extent that the bill results in more victim's attending parole hearings, costs and workload for the Parole Board will increase to hear and review victims statements.

Department of Human Services. The bill increases costs and workload for the Department of Human Services to provide notifications to victim's when an offender is in a state mental hospital. This increase in notifications can be accomplished within existing appropriations.

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. These costs for the DOC, which include employee insurance and supplemental employee retirement payments, are estimated to be \$125,162 in FY 2019-20 and \$142,154 in FY 2020-21.

Local Government

The bill increases costs and workload to local law enforcement agencies to provide annual updates to victims about the status of any cold case.

Effective Date

This bill was signed into law by the Governor and took effect on May 28, 2019.

State Appropriations

For FY 2019-20, the bill requires and includes the following a General Fund appropriations:

- \$784,542 and an allocation of 9.1 FTE to the Department of Corrections; and
- \$300,000 to the Department of Public Health and Environment to implement the Community Crime Victims Grant Program.

State and Local Government Contacts

Corrections
Human Services
Municipalities

Counties
Information Technology
Public Safety

District Attorneys
Judicial
Sheriffs