



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**REVISED  
FISCAL NOTE**

(replaces fiscal note dated February 5, 2019)

**Drafting Number:** LLS 19-0578      **Date:** March 25, 2019  
**Prime Sponsors:** Rep. Kraft-Tharp; Saine      **Bill Status:** Senate Finance  
 Sen. Fields; Smallwood      **Fiscal Analyst:** Ariel Hammerquist | 303-866-3469  
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**Bill Topic:** LOTTERY INTERCEPTS

**Summary of Fiscal Impact:**

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

This bill allows lottery winnings to be intercepted for the payment of outstanding court fines, fees, costs, or surcharges. This bill increases state revenue on an ongoing basis and minimally increases state expenditures.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** This revised fiscal note reflects the reengrossed bill, as amended by the House Finance Committee.

**Table 1  
State Fiscal Impacts Under HB 19-1128**

		FY 2019-20	FY 2020-21
<b>Revenue</b>	General Fund and Cash Funds	\$61,500	\$61,500
<b>Expenditures</b>		-	-
<b>Transfers</b>		-	-
<b>TABOR Refund</b>		-	-

## **Summary of Legislation**

This bill allows lottery winnings to be intercepted for the payment of outstanding court fines, fees, costs, or surcharges. In addition, the bill specifies that lottery winnings should first be applied to offset child support debt, arrearages, or child support costs. The remaining lottery winnings shall then be applied to outstanding restitution, fines, fees, costs, or surcharges.

## **Background**

The Office of State Auditor found that the Judicial Department could have received \$123,000 in revenue over a two year period from lottery winnings that had been claimed by individuals who owed judicial obligations other than restitution. As a result, the fiscal notes assumes an average increase of \$61,500 per year in revenue from fines, fees, costs, or surcharges.

## **State Revenue**

Beginning in FY 2019-20, the state will see a revenue increase of \$61,500 credited to the Fines Collection Cash Fund, various other cash funds in the Judicial Department, and the General Fund. The exact funds receiving the increased payment will depend on the type of fine or fee owed and is not known at this time. Criminal fine and court fee revenue is subject to TABOR; however, under the March 2019 Legislative Council Staff forecast, a TABOR surplus is not expected in FY 2019-20 or FY 2020-21.

## **State Expenditures**

Beginning in FY 2019-20, this bill will minimally increase workload for the Judicial Department to manage data and make minor programming changes to receive lottery intercepts. Any increase in workload can be accomplished within existing appropriations.

## **Effective Date**

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed.

## **State and Local Government Contacts**

Corrections  
Judicial

Information Technology  
Revenue