



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**FISCAL NOTE**

<b>Drafting Number:</b>	LLS 19-0747	<b>Date:</b>	January 31, 2019
<b>Prime Sponsors:</b>	Rep. Liston; Hooton Sen. Cooke	<b>Bill Status:</b>	House Judiciary
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**Bill Topic:** COUNTY SHERIFF QUALIFICATION TRAINING REQUIREMENTS

<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input checked="" type="checkbox"/> TABOR Refund
	<input type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill requires an individual to obtain a valid or provisional peace officer standards and training board certificate in order to be eligible to be appointed, elected, or nominated for the office of county sheriff. It increases state revenue by a minimal amount on an ongoing basis.

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

**Fiscal Note Status:** This fiscal note reflects the introduced bill.

**Summary of Legislation**

Under current law, a person elected to the office of county sheriff must obtain a basic peace officer certification within one year of taking office. This bill requires an individual to obtain a valid or provisional peace officer standards and training board (POST) certificate in order to be eligible to be appointed, elected, or nominated for the office of county sheriff.

**Background**

In order to become a peace officer an individual must pass a background check and complete a POST-approved basic training academy program. After completion of the program, he or she is eligible to take the POST certification exam and skills test. There is a \$150 fee for taking the POST exam and \$375 for skills testing, for a total of \$525. Depending on the basic training academy, these fees may be paid for in the tuition cost for that academy.

An individual that has worked as a certified peace officer in another state within the last three years may obtain a provisional POST certificate. This certificate allows he or she to act as a peace officer in Colorado while they undergo the POST certificate testing process. The same fee is charged for the exam and skills testing.

**State Revenue**

Beginning in FY 2019-20, this bill potentially increases POST Board Cash Fund revenue in the Department of Law. To the extent that additional people take the POST certification exam and skills test to obtain POST certification because they intend to run for county sheriff, revenue from POST testing fees will increase. Overall this impact is expected to be minimal and is expected to only occur in years prior to an election in which the office of county sheriff is on the ballot. This revenue is subject to TABOR.

**State Expenditures**

Beginning in FY 2019-20, this bill potentially increases Department of Law workload by a minimal amount to administer and process more POST certification requests.

**TABOR refunds.** The bill may increase state General Fund obligations for TABOR refunds by a minimal amount in FY 2019-20. Under current law and the December 2018 Legislative Council Staff forecast, the bill will correspondingly increase the amount refunded to taxpayers via sales tax refunds on income tax returns for tax year 2020. The state is not expected to collect a TABOR surplus in FY 2020-21.

**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. It applies to a person nominated, elected, or appointed to the office of sheriff on or after the effective date.

**State and Local Government Contacts**

Counties	County Clerks	Law	Sheriffs
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