



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 19-0937 Date: March 18, 2019
Prime Sponsors: Sen. Winter Bill Status: Senate Judiciary
Rep. McCluskie Fiscal Analyst: Ariel Hammerquist | 303-866-3469
Ariel.Hammerquist@state.co.us

Bill Topic: EVICTION LEGAL DEFENSE FUND

- Summary of Fiscal Impact:
- State Revenue (minimal)
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

This bill creates the eviction legal defense fund. Grants will be awarded from this fund to qualifying nonprofit organizations that will provide legal advice, counseling, and representation to indigent clients facing or at risk of eviction. This bill provides an appropriation of \$750,000 to the fund, and increases state expenditures and workload on an ongoing basis.

Appropriation Summary: For FY 2019-20, the bill requires and includes a General Fund appropriation of \$750,000 to the Eviction Legal Defense Fund in the Judicial Department.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Table 1
State Fiscal Impacts Under SB 19-180

Table with 4 columns: Category, FY 2019-20, FY 2020-21. Rows include Revenue, Expenditures (Cash Funds), Transfers, and TABOR Refund.

Summary of Legislation

This bill creates the Eviction Legal Defense Fund in the Judicial Department. Grants will automatically be awarded from this fund twice a year to qualifying nonprofit organizations in each county that will provide legal advice, counseling, and representation to indigent clients facing or at risk of eviction. This bill requires nonprofit organizations that receive a grant from this fund to submit an annual report to the State Court Administrator's Office (SCAO) that includes information on the number of clients served, nature of assistance rendered, amount of rent in dispute, and demographic data. In addition, the SCAO must evaluate the use of grant money from the fund by December 31, 2024 and every five years thereafter. This bill allows the SCAO to accept and spend gifts, grants, and donations for the purpose of awarding grants. Lastly, this bill provides an appropriation of \$750,000 to the eviction legal defense fund.

State Revenue

This bill allows the Judicial Department to accept gifts, grants, or private donations. No amount or source of gifts or private donations has been identified at the time of this writing. Gifts, grants, and donations are not subject to TABOR.

State Expenditures

Beginning in FY 2019-20, this bill increases expenditures in the Judicial Department by \$750,000 per year. To award grants to qualifying entities, these costs are paid using General Funds deposited into the Eviction Legal Defense Fund. The fiscal note assumes that program funding will remain constant, but the General Assembly may adjust the amount provided to the fund through the annual budget process at its discretion. To the extent that there is an increase in litigation as a result of increased council representation, workload will increase for the trial courts. Workload will increase for the Judicial Department to administer the grant awards and calculate the amount awarded based on the criteria in the bill and number of qualifying organizations. In addition, workload will increase for the SCAO to conduct an evaluation every five years and for the department's IT division to assist. These impacts are minimal and are expected to be absorbable within existing resources.

Effective Date

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

State Appropriations

This bill requires and includes a General Fund appropriation of \$750,000 to the Eviction Legal Defense Fund for FY 2019-20, and a corresponding appropriation of \$750,000 from the fund to the Judicial Department.

State and Local Government Contacts

Information Technology
Personnel

Judicial
Treasury