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FISCAL NOTE

Drafting Number: LLS 20-0363 Date: January 14, 2020
Prime Sponsors: Sen. Gonzales; Rodriguez Bill Status: Senate Judiciary
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Bill Topic: CRIMINAL JUSTICE SYSTEM OPERATIONAL PROCESSES STUDY

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

This bill requires the Department of Corrections to conduct a study to examine how individuals proceed through the various stages of criminal proceedings. The bill increases state expenditures in the current FY 2019-20 and FY 2020-21, and state and local government workload through FY 2020-21.

Appropriation Summary: The Department of Corrections requires an appropriation of \$50,000 in the current FY 2019-20 and \$1,000,000 in FY 2020-21.

Fiscal Note Status: This fiscal note reflects the introduced bill, as recommended by the Prison Population Management Interim Study Committee.

Table 1
State Fiscal Impacts Under SB 20-060

Table with 4 columns: Category, FY 2019-20 (current year), FY 2020-21, FY 2021-22. Rows include Revenue, Expenditures (General Fund), Transfers, and TABOR Refund.

Summary of Legislation

This bill requires the Department of Corrections (DOC) to conduct a study to examine how individuals proceed through the various stages of criminal proceedings. The study must include, at a minimum:

- an analysis of information technologies, including service-oriented architecture and integrated records databases;
- an organization matrix of processes, personnel structures, and technology structures used in the various stages of criminal proceedings;
- a diagram of criminal proceedings that includes detailed options available at the various stages of criminal proceedings and statistics regarding the frequency at which options are chosen;
- a model-based systems engineering analysis to illustrate existing organizational relationships, information systems, and processes, and analyze existing process inefficiencies and opportunities for improving quality and efficiencies;
- recommendations and best practices for creating more efficient operational and technological systems and procedures;
- an analysis of inefficiencies within the various stages of criminal proceedings; and
- an analysis of the types of metrics and information collected and prepared by criminal justice agencies and an examination of the purpose of collecting this information and how it is used.

The study must be limited to the most recent 18-month period for which data are available and sufficient to meet the requirements of this bill. Additionally, the DOC must collaborate with other state and local criminal justice agencies, solicit and consider public comment, issue a request for proposal, and enter into a contract with a consultant to assist with the study by June 30, 2020. The results of this study must be presented to the General Assembly by January 1, 2021. This bill is repealed July 1, 2021.

State Expenditures

This bill is estimated to increase Department of Corrections General Fund expenditures by \$50,000 in the current FY 2019-20 and \$1,000,000 in FY 2020-21. State agency workload will also increase through FY 2020-21. These impacts are discussed below.

Criminal justice system study—DOC. The DOC requires \$1,050,000 to implement this bill, including \$50,000 for a consultant to assist in preparing the request for proposal (RFP) and evaluating responses, and \$1,000,000 for the completion of the study and final report. This estimate uses the prison utilization study in House Bill 12-1336 as a baseline, adjusted for a broader scope. This is an estimate only. The actual cost of the study will be determined through the RFP process.

Study participation by other state agencies. Workload will increase through FY 2020-21 for state agencies that are part of the criminal justice system to participate in the study, including the DOC, the Department of Law, the Judicial Department, the Office of the State Public Defender, and the Division of Criminal Justice in the Department of Public Safety. It is assumed that this workload increase can be accomplished within existing appropriations. Depending on the outcome of the study and changes to the criminal justice system, future costs or savings may be incurred.

Local Government

Similar to the state, local government criminal justice agencies will have increased workload through FY 2020-21 to participate in the study and may see future cost increases or savings depending on the outcome of the study and changes to the criminal justice system.

Effective Date

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

State Appropriations

The Department of Corrections requires a General Fund appropriation of \$50,000 in the current FY 2019-20 and \$1,000,000 in FY 2020-21.

State and Local Government Contacts

Corrections
Information Technology
Municipalities

Counties
Judicial
Public Safety

District Attorneys
Law
Sheriffs