



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated January 28, 2022)

Drafting Number:	LLS 22-0013	Date:	March 31, 2022
Prime Sponsors:	Rep. Amabile; Benavidez Sen. Coleman; Cooke	Bill Status:	House Appropriations
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Bill Topic: JAIL STANDARDS COMMISSION

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 establishes the Colorado Jail Standards Commission to recommend statewide standards for Colorado's jails. The bill increases state expenditures from FY 2022-23 through FY 2023-24.

Appropriation Summary: For FY 2022-23, the bill requires an appropriation of \$278,671 to the Department of Public Safety.

Fiscal Note Status: The revised fiscal note reflects the introduced bill, as amended by the House Judiciary Committee.

**Table 1
State Fiscal Impacts Under HB 22-1063**

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue		-	-
Expenditures	General Fund	\$278,671	\$92,431
	Centrally Appropriated	\$22,118	\$11,204
	Total Expenditures	\$300,789	\$103,635
	Total FTE	1.4 FTE	0.7 FTE
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$41,801	\$13,865

Summary of Legislation

The bill establishes the Jail Standards Commission and delays implementation of section 1 of House Bill 21-1211, as described below.

Jail Standards Commission. The bill establishes the 22-member Jail Standards Commission in the Department of Public Safety. The commission is charged with recommending standards for the operation of jails in the following areas:

- reception and release;
- classification of inmates;
- security;
- housing;
- sanitation and environmental conditions;
- communication;
- visitation;
- health care, mental and behavioral health care, and dental care;
- restrictive housing;
- inmate grievances;
- jail staffing; and
- inmate prerogatives.

The commission must hold its first meeting by July 31, 2022, and must complete a report that includes its recommendations, including the feasibility of jails to implement the recommended standards, to the General Assembly by December 31, 2023.

House Bill 21-1211. The bill delays the implementation of section 1 of House Bill 21-1211 by a year (from July 1, 2022 to July 1, 2023). These provisions restrict the use of involuntary placement in restrictive housing in jails and requires jails to use an adequate screening tool to complete health screening during admission.

State Expenditures

The bill increases state expenditures in the DPS by \$300,789 and 1.4 FTE in FY 2022-23 and \$103,635 and 0.7 FTE in FY 2023-24, paid from the General Fund. Expenditures are shown in Table 2 and detailed below.

**Table 2
 Expenditures Under HB 22-1063**

	FY 2022-23	FY 2023-24
Department of Public Safety		
Personal Services	\$90,246	\$46,736
Operating Expenses	\$2,025	\$945
Capital Outlay Costs	\$12,400	-
Board Facilitator	\$169,000	\$42,250
Board Expenses	\$5,000	\$2,500
Centrally Appropriated Costs ¹	\$22,118	\$11,204
Total Cost	\$300,789	\$103,635
Total FTE	1.4 FTE	0.7 FTE

¹ Centrally appropriated costs are not included in the bill's appropriation.

Department of Public Safety. From FY 2022-23 to FY 2023-24, expenditures in the DPS will increase to support the Jail Standards Commission. Based on the current staffing levels of the Colorado Commission on Criminal and Juvenile Justice, the commission will require 1.4 FTE to establish meeting plans, provide administrative support, provide research and support to the commission and any subgroups established, and to complete the final report for the commission. In addition, expenditures in the DPS will increase to hire a facilitator and consultant to assist in the duties of the Jail Standards Commission. The fiscal note assumes that there will be about 260 days of work in FY 2022-23 and 65 days in FY 2023-24 at an assumed rate of \$650 per day. Finally, the DPS will have an estimated \$5,000 in board expenses per year including costs for room rentals and supplies and printing. Costs in FY 2022-23 are prorated for the General Fund paydate shift and costs in FY 2023-24 are prorated by half to account for the December 31, 2023, deadline.

Governor's Office. The Governor's Office of Boards and Commissions will have increased workload to make the required appointments under the bill, including recruiting, vetting, and interviewing potential appointees. It is assumed that the Governor's Office may seek funding through the annual budget process, if necessary, based on the total workload of the Boards and Commissions office and the cumulative impact of all legislation affecting the office.

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, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, which will decrease the amount of General Fund available for other purposes.

Local Government

From FY 2022-23 through FY 2023-24, workload for counties who participate in the commission will increase. In addition, workload and costs for county jails associated with HB 21-1211 will be delayed by one year.

Effective Date

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

State Appropriations

For FY 2022-23, the bill requires a General Fund appropriation of \$278,671 and 1.4 FTE to the Department of Public Safety.

State and Local Government Contacts

Counties
Information Technology
Sheriffs

District Attorneys
Law

Human Services
Public Safety