



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 31, 2022)

Drafting Number: LLS 22-0013 Date: April 27, 2022
Prime Sponsors: Rep. Amabile; Benavidez Bill Status: Legislative Council
Sen. Coleman; Cooke Fiscal Analyst: Aaron Carpenter | 303-866-4918
Aaron.Carpenter@state.co.us

Bill Topic: JAIL STANDARDS COMMISSION

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

The bill establishes the Colorado Jail Standards Commission and a legislative oversight committee 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 and includes an appropriation of \$96,039 to the Legislative Department.

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

Table 1
State Fiscal Impacts Under HB 22-1063

Table with 4 columns: Category, Sub-category, Budget Year FY 2022-23, and Out Year FY 2023-24. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total Expenditures, Total FTE), Transfers, and Other Budget Impacts (General Fund Reserve).

Summary of Legislation

The bill establishes the Jail Standards Commission, establishes the Legislative Oversight Committee for Jail Standards, 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 to recommend 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 meet monthly. The commission must complete a report that includes its recommendations, including the feasibility of jails to implement the recommended standards, and present it to the legislative oversight committee by November 15, 2023. The Director of Research of the Legislative Council must supply staff assistance to the commission.

Legislative Oversight Committee for Colorado Jail Standards. The bill establishes the Legislative Oversight Committee for Colorado Jail Standards to provide oversight of the jail commission and to introduce up to three bills during the 2024 legislative session. The committee consists of six legislators appointed by legislative leadership, who may receive per diems and expense reimbursements. The committee may meet up to four times per year. Legislative legal and research staff must supply staff assistance to the committee.

Both the committee and the commission repeal July 1, 2024.

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 Legislative Department by \$112,735 and 0.9 FTE in FY 2022-23 and \$92,165 and 0.8 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

Cost Components	FY 2022-23	FY 2023-24
Legislative Department		
Personal Services	\$82,829	\$72,288
Operating Expenses	\$1,350	\$945
Capital Outlay Costs	\$6,200	-
Member Per Diem and Reimbursement	\$5,660	\$4,245
Centrally Appropriated Costs ¹	\$16,696	\$14,687
Total	\$112,735	\$92,165
Total FTE	0.9 FTE	0.8 FTE

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

Legislative Department. From FY 2022-23 to FY 2023-24, expenditures in the Legislative Department will increase to support the Jail Standards Commission, the oversight committee, and to pay legislator per diem and travel reimbursement.

- **Legislative Council Staff.** Legislative Council Staff will require 0.9 FTE in FY 2022-23 and 0.8 FTE in FY 2023-24 to support the commission and the legislative oversight committee. This includes the standard 0.3 FTE to support an interim committee and 0.6 FTE to support monthly meetings of the commission. Costs in FY 2022-23 are prorated for the General Fund pay date shift.
- **Office of Legislative Legal Services.** Workload in the Office of Legislative Legal Services will increase to draft legislation and to support the oversight committee. Because workload will occur over two years, this work can be accomplished within existing appropriations.
- **General Assembly.** Expenditures in the General Assembly will increase to pay legislator per diem and travel reimbursement for legislators that sit on the oversight committee. The fiscal note assumes that the committee will meet four times in FY 2022-23 and three times in FY 2023-24. Legislators receive a per diem of \$111.82 per meeting and \$124 per meeting for travel reimbursement.

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 and includes a General Fund appropriation of \$96,039 to the Legislative Department, of which \$90,379 is for use by the Legislative Council Staff with 0.9 FTE and \$5,660 is for use by the General Assembly.

State and Local Government Contacts

Legislative Council Staff

Legislative Legal Services