



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Final Fiscal Note

<b>Drafting Number:</b>	LLS 22-0542	<b>Date:</b>	June 6, 2022
<b>Prime Sponsors:</b>	Rep. Weissman; Soper Sen. Gardner; Gonzales	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** SENATE BILL 21-271 CLEAN-UP

<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input checked="" 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 updates the procedures for civil infractions which were created under SB 21-271. The bill increases state expenditures in the current FY 2021-22 and may increase state revenue and decrease local revenue and expenditures in future fiscal years.

**Appropriation Summary:** For the current FY 2021-22, the bill requires and includes an appropriation of \$124,800 to the Judicial Department.

**Fiscal Note Status:** The fiscal note reflects the enacted bill.

**Table 1  
State Fiscal Impacts Under HB 22-1229**

		<b>Current Year FY 2021-22</b>	<b>Budget Year FY 2022-23</b>	<b>Out Year FY 2023-24</b>
<b>Revenue</b>		-	-	-
<b>Expenditures</b>	General Fund <sup>1</sup>	\$124,800	-	-
<b>Transfers</b>		-	-	-
<b>Other Budget Impacts</b>	General Fund Reserve	\$16,723	-	-

<sup>1</sup> Funds appropriated in the current FY 2021-22 may be spent through FY 2022-23.

## Summary of Legislation

The bill updates the procedures for civil infractions that were created under Senate Bill 21-271. Under the bill, a person who has committed a civil infraction may pay the specified penalty and surcharge in person or by mail to the court.

If the person does not acknowledge guilt, or fails to pay the fine in time, the person must appear in county court as required in the notice. The bill outlines the procedure that occurs during a civil infraction case if the case is taken to trial and the procedure that occurs when a minor receives a civil infraction. The bill also makes conforming amendments to statute.

## Background

Senate Bill 21-271 created a process for an individual to pay a civil infraction to the agency issuing the ticket, rather than the court. Civil infractions are \$100, unless otherwise directed by statute.

## State Revenue

Starting in FY 2022-23, state revenue will increase from civil infraction fines paid to the courts instead of another local agency. Because it is unknown how many fines will be paid to the courts that would have otherwise been collected by a local agency, the exact increase cannot be determined. Fines collected by the court are subject to the state's TABOR limit.

## State Expenditures

In FY 2022-23 only, state General Fund expenditures will increase by \$124,800 in the Judicial Department. Costs are to update the court's management system to collect fines from civil infractions paid to the courts but not issued by a judge. These modifications are estimated to take 1,040 hours at \$120 per hour.

## Other Budget Impacts

**General Fund reserve.** Under current law, an amount equal to 13.4 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in the current FY 2021-22. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve as shown in Table 1, which will decrease the amount of General Fund available for other purposes.

## Local Government

To the extent fines are paid to the courts rather than to a local agency, revenue to that local agency will decrease. In addition, to the extent more individuals receive deductions from the time they are sentenced to jail for completing a designated program or educational activity, costs to counties will decrease.

## Effective Date

This bill was signed into law by the Governor April 7, 2022, and took effect on March 1, 2022, and applies to offenses committed on or after that date, except that Section 16-2.3-102 C.R.S., concerning the ability to pay civil infraction assessments, takes effect September 1, 2022.

## State Appropriations

In the current FY 2021-22, the bill requires and includes an appropriation of \$124,800 to the Judicial Department. Any unexpended funds from this appropriation may be spent in FY 2022-23.

## State and Local Government Contacts

District Attorneys

Judicial

Public Safety