



Legislative Council Staff

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Fiscal Note

Drafting Number: LLS 22-0678 **Date:** February 24, 2022
Prime Sponsors: Rep. Bacon; Michaelson Jenet **Bill Status:** House Judiciary
 Sen. Rodriguez **Fiscal Analyst:** Josh Abram | 303-866-3561
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Bill Topic: PREVENTING IDENTITY-BASED VIOLENCE GRANT PROGRAM

Summary of Fiscal Impact:

<input checked="" 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 creates a grant program in the Department of Public Safety to address identity-based violence. The bill increases state expenditures annually beginning in FY 2022-23, and may increase revenue and expenditures for local governments.

Appropriation Summary: For FY 2022-23, the bill requires an appropriation of \$1.0 million to the Department of Public Safety.

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

Table 1
State Fiscal Impacts Under HB 22-1234

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue	Cash Funds	-	-
Expenditures	General Funds	\$1,000,000	\$1,000,000
	Centrally Appropriated	\$16,237	\$16,804
	Total Expenditures	\$1,016,237	\$1,016,804
	Total FTE	1.0 FTE	1.0 FTE
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$150,000	\$150,000

Summary of Legislation

The bill creates the Preventing Identity-Based Violence Grant Program in the Division of Criminal Justice in the Department of Public Safety (DPS). The program will provide grants for programs that focus on preventing acts of violence in which bad actors intentionally target discernible populations or venues in a manner that poses a threat to homeland security.

Grants may be awarded to local governments, an American Indian Tribe, law enforcement agencies, district attorneys, educational entities, or a nonprofit organization with experience working with people affected by identity-based violence. Grants from the program must be used to forward specified goals, such as building community awareness, strengthening local collaboration, or building sustainable supports.

The DPS must adopt rules for the program, which at minimum must specify the content of grant applications and program deadlines, award selection criteria, guidelines for determining the amount of each grant, a process for verification of grant compliance, and reporting requirements for grantees. Grant recipients may use up to five percent of any award for management and administration of the grant funds and must submit quarterly reports to DPS. By July 31, 2023, and each July thereafter, the DPS must report specified information about the program to the General Assembly. The bill requires that the General Assembly annually appropriate \$1.0 million for the program, and authorizes the DPS to seek, accept and spend gifts, grants, or private donations.

State Revenue

The bill allows the DPS to seek, accept, and spend gifts, grants, or private donations for the program. No amount or source of these funds has been identified. This revenue is exempt from TABOR.

State Expenditures

The bill increases state expenditures in the DPS by about \$1.0 million in FY 2022-23 and FY 2023-24. Expenditures are shown in Table 2 and detailed below.

**Table 2
Expenditures Under HB 22-1234**

	FY 2022-23	FY 2023-24
Department of Public Safety		
Personal Services	\$69,342	\$75,644
Operating Expenses	\$1,350	\$1,350
Capital Outlay Costs	\$12,400	-
Identity-Based Violence Grants	\$916,908	\$923,006
Centrally Appropriated Costs ¹	\$16,237	\$16,804
Total Cost	\$1,016,237	\$1,016,804
Total FTE	1.0 FTE	1.0 FTE

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

Department of Public Safety. The DPS will use the annual appropriation for an additional 1.0 FTE, including 0.5 FTE in the Office of Grants and Contracts, and 0.5 FTE in the Colorado Information Analysis Center, to coordinate and assist with grant administration. Staff will develop program policies and procedures, grant application forms and evaluative criteria, provide technical assistance to grantees, and ensure accountability and compliance. Personal service costs are prorated for the General Fund pay date shift. After administrative expenses, about \$900,000 is annually available to award as grants.

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. The bill is expected to increase the amount of General Fund held in reserve by \$150,000 in both FY 2022-23 and FY 2023-24, which will decrease the amount of General Fund available for other purposes.

Local Government

Local governments are eligible for grants from the program, potentially increasing revenue and workload.

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 an appropriation of \$1.0 million to the Department of Public Safety, and 1.0 FTE.

State and Local Government Contacts

Information Technology

Law

Public Safety