



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 22-0888 **Date:** March 28, 2022
Prime Sponsors: Rep. McCluskie; Ransom **Bill Status:** House Appropriations
 Sen. Hansen; Rankin **Fiscal Analyst:** Erin Reynolds | 303-866-4146
 Erin.Reynolds@state.co.us

Bill Topic: **SUSPEND 5-YEAR CORRECTIONS APPROPRIATIONS**

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

Budget package bill. This bill suspends the requirement that the General Assembly include a five-year appropriation for bills that increase periods of imprisonment in the Department of Corrections and repeals all current statutory five-year appropriations. It reduces appropriations through FY 2025-26.

Appropriation Summary: For FY 2022-23, the bill requires a reduction in appropriations of \$1.0 million to the Department of Corrections.

Fiscal Note Status: The fiscal note reflects the introduced bill, which was recommended by the Joint Budget Committee as part of its FY 2022-23 Long Bill package.

Table 1
State Fiscal Impacts Under HB 22-1330

		Budget Year FY 2022-23	Out Year FY 2023-24	Out Year FY 2024-25	Out Year FY 2025-26
Revenue		-	-	-	-
Expenditures¹	General Fund	(\$1,002,490)	(\$59,606)	(\$18,415)	(\$18,415)
Transfers		-	-	-	-
Other Budget Impacts		-	-	-	-

¹ These amounts represent a change in statutory appropriations to the DOC. Actual expenditures by the DOC, based on the prison population and set through the budget process, will not be affected by this bill.

Summary of Legislation

Since 1991, state law requires the General Assembly to consider the need to appropriate funds to cover increased operating, capital construction, and parole costs for five fiscal years when legislation is estimated to increase periods of imprisonment in state correctional facilities. This bill suspends that requirement until July 1, 2025 and repeals all of the current statutory five-year appropriations.

State Expenditures and Appropriations

Beginning in FY 2022-23, the bill decreases state General Fund appropriations in the Department of Corrections over four fiscal years by the amounts shown in Table 2. These existing statutory appropriations were added by previous legislation that was estimated to increase periods of imprisonment.

Reducing these statutory appropriations will not affect overall expenditures in the Department of Corrections, as total actual appropriations to the department are based on the annual prison population forecast and adjusted through the annual budget process. These budget adjustments result in these statutory appropriations being offset or supplemented, as necessary, to arrive at the total required funding to support the estimated prison population.

Table 2
Appropriation Reduction Under HB 22-1330

	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
Department of Corrections				
Statutory Appropriations from Sentencing Bills				
HB 18-1200 - Cybercrime Changes	(\$39,334)	-	-	-
SB 18-119 - False Imprisonment of a Minor	(\$39,334)	-	-	-
HB 18-1077 - Penalty for Burglary of Firearms	(\$864,432)	-	-	-
HB 19-1250 -Sexual Assault in Custody/Detained	(\$43,111)	(\$41,191)	-	-
SB 21-064- Retaliation Against an Elected Official	(\$16,279)	(\$18,415)	(\$18,415)	(\$18,415)
Total Cost	(\$1,002,490)	(\$59,606)	(\$18,415)	(\$18,415)

Effective Date

The bill takes effect July 1, 2022.

State and Local Government Contacts

Corrections Joint Budget Committee Staff