



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 1, 2024)

Drafting Number:	LLS 24-0808	Date:	March 26, 2024
Prime Sponsors:	Rep. Bacon; Hernandez	Bill Status:	House Appropriations
		Fiscal Analyst:	Aaron Carpenter 303-866-4918 aaron.carpenter@coleg.gov

Bill Topic: SUPPORTS FOR YOUTH IN JUVENILE JUSTICE SYSTEM

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input checked="" type="checkbox"/> School Districts

The bill establishes rights for justice-engaged students and encourages courts to delay sentences to commitment. The bill increases state and local expenditures starting in FY 2024-25.

Appropriation Summary: For FY 2024-25, the bill requires an appropriation of \$291,711 to multiple state agencies.

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

Table 1
State Fiscal Impacts Under HB 24-1216

		Budget Year FY 2024-25	Out Year FY 2025-26
Revenue		-	-
Expenditures	General Fund	\$291,711	\$145,056
	Centrally Appropriated	\$24,524	\$19,708
	Total Expenditures	\$316,235	\$164,764
	Total FTE	1.2 FTE	1.0 FTE
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$43,757	\$21,758

Summary of Legislation

The bill establishes rights for justice-engaged students, requires the state and local school districts to provide certain support to these students, and encourages courts to delay sentences to commitment to the Division of Youth Services (DYS) in the Department of Human Services (CDHS).

Bill of rights for justice-engaged students. The bill creates a bill of rights for justice-engaged students related to education. This includes having the right to alternative solutions for general education; prompt enrollment with a local education provider (LEP); appropriate credit for coursework completed while being justice-engaged; a graduation plan; privacy; education while committed; and participation in gifted and talented and college readiness programs.

Requirements for local education providers. The bill requires LEPs to publish resources available for justice-engaged students on their website, and to designate a person to serve as a point of contact for justice-engaged students. The bill outlines the requirements for the point of contact, including understanding the state-created guidance, and supporting the justice-engaged student and family in a variety of ways.

Working group. By July 1, 2024, the Department of Education (CDE) must convene an interagency working group to make recommendations on identifying and collecting data on the number of justice-engaged students. The working group must include the CDE, the CDHS, and the Judicial Department and must make recommendations to the General Assembly by December 31, 2024. The State Board of Education must implement the recommendations by July 1, 2025.

Credit transferring. The bill requires the State Board of Education to promulgate rules by August 1, 2025, and to ensure youth in custody have access to quality educational programs and receive credits for work upon the youth's return to the traditional educational environment.

Hotline and student support. By September 1, 2025, and through July 1, 2027, the CDE must select and contract with an entity to administer a statewide hotline for justice-engaged students, and other support persons, to offer referrals for legal advice, school options, and other necessary services and support.

Rural student support. The bill requires the CDE to create and maintain a position to assist students from small frontier and rural school districts who have been denied re-entry to the student's LEP.

Commitment sentencing. The bill encourages the courts that commit a justice-engaged student to the care of the CDHS for an offense that did not include physical that or bodily injury to order that the commitment take place in a manner that allows the student to continue to attend school.

State Expenditures

The bill increases state General Fund expenditures in the CDE by \$316,000 in FY 2024-25 and \$165,000 in FY 2025-26. The bill also increases CDHS and Judicial Department workload. Expenditures are shown in Table 2 and detailed below.

**Table 2
 Expenditures Under HB 24-1216**

	FY 2024-25	FY 2025-26
Department of Education		
Personal Services	\$121,855	\$93,776
Operating Expenses	\$1,536	\$1,280
Capital Outlay Costs	\$6,670	-
Hotline	\$50,000	\$50,000
Working Group Facilitation and Costs	\$66,250	-
Request for Proposals	\$43,400	-
Stakeholder Engagement	\$2,000	
Centrally Appropriated Costs ¹	\$24,524	\$19,708
Total	\$316,235	\$164,764
Total FTE	1.2 FTE	1.0 FTE

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

Department of Education. Starting in FY 2024-25, expenditures in the CDE will increase to hire additional staff, contract for a hotline, and support the working group, as described below.

- **Staffing.** Starting in FY 2024-25, the CDE requires 1.2 FTE in FY 2023-24 and 1.0 FTE in FY 2025-26, which includes 1.0 FTE to serve as a liaison for justice-involved students and their families, as required by the bill, 0.3 FTE in FY 2024-25 only to develop guidance for LEP points of contact; and 0.2 FTE in FY 2024-25 only to chair and lead the working group.

Staffing costs include personal services, operating expenses, and capital outlay costs outlined in the table above. In FY 2024-25, the fiscal note assumes staff will start on September 1, 2024. One-time staffing cost also assumes a December 31, 2024, end date.

- **Hotline.** The CDE will contract with a vendor to administer a hotline, as required by the bill. It is estimated that a hotline contract will cost \$50,000 per year.
- **Working group support.** In FY 2024-25 only, the CDE requires \$68,000 to support the grouping group of the bill. This includes contracting with a facilitator (\$50,000), contract hours for IT staff to respond to data requests of the working group (\$16,250), and finally to provide stipends for working group members (\$2,000).

- **Request for proposals.** In FY 2024-25, the bill requires the CDE to enter into two contracts, one for the hotline, and another to facilitate the working group. It is estimated that each request for proposal costs \$21,700 per contract.
- **Stakeholder engagement.** In FY 2024-25 only, the bill increases expenditures in the CDE by \$2,000 per year to provide stipends for stakeholder engagement.
- **Data collection.** Starting in FY 2025-26, expenditures in the CDE may increase to collect data based on the recommendations of the working group. The fiscal note assumes that if resources are required to collect data, the working group will recommend statutory changes and resources will be requested through the legislative process. Any administrative rules that require additional data collection are assumed to be accomplished within existing resources.

Department of Human Services. Starting in FY 2024-25, workload in the CDHS will increase to participate in the working group established by the bill. Participation in the working group can be accomplished within existing resources. In future years, expenditures in the CDHS may increase to provide data recommended by the working group. The fiscal note assumes that if the recommendations require additional resources, the recommendations of the working group will include statutory changes and funding will be requested through the legislative process .

Additionally, the fiscal note assumes that judges will not delay a sentence to commitment for youth who are in detention (see Technical Note).

Judicial Department. Starting in FY 2024-25, the bill increases to participate in the working group; collaborate with CDE and CDHS on data collection and rules; and for probation for probation officers to schedule school visits, meet with juveniles in private, and to participate in any trainings. All work can be accomplished within existing appropriations.

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. 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, decreasing the amount of General Fund available for other purposes.

Local Government

County human services. Starting in FY 2024-25, to the extent a juvenile remains in a county-paid community placement longer, before being sentenced to commitment to the CDHS, costs to counties will increase.

School districts. Expenditures in school districts will increase to hire or appoint someone as a point of conduct for justice-engaged youth, update websites to ensure required information is available, and to ensure justice-engaged students receive the rights provided by the bill.

Technical Note

The bill gives judges the authority to delay *when possible* a sentence to commitment to care of the CDHS. According to the CDHS, the majority of sentences to commitment are first screened to detention. Therefore, if judges choose to delay commitment sentences, juveniles screened into detention will remain in detention, resulting in a need for more detention beds.

Under Section 19-2.5-1514, C.R.S., the number of detention beds are capped at 215 beds. If the bill does increase the stay of juveniles in detention facilities, the General Assembly may need to legislate an increase the detention bed cap.

However, the fiscal note assumes that judges will not delay sentencing to commitment if juveniles are already in a CDHS facility.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2024-25, the bill requires a total General Fund appropriation of \$291,711 to the Department of Education, and 1.2 FTE.

State and Local Government Contacts

Child Welfare
Early Childhood
Judicial

Corrections
Education

Counties
Human Services

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).