



**Colorado
Legislative
Council
Staff**

Bill 1

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0147
Prime Sponsor(s):

Date: September 27, 2016
Bill Status: Legislative Oversight Committee
Concerning the Treatment of
Persons With Mental Illness in the
Criminal and Juvenile Justice
Systems Bill Request

Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: STAFFING TASK FORCE MENTAL ILLNESS JUSTICE SYSTEMS

| Fiscal Impact Summary | FY 2017-2018 | FY 2018-2019 |
|---|---------------------------------|--------------|
| State Revenue | | |
| Cash Funds | See State Revenue section. | |
| State Expenditures | See State Expenditures section. | |
| Appropriation Required: None. | | |
| Future Year Impacts: Ongoing potential increase in revenue and expenditures. | | |

Summary of Legislation

Requested by the Legislative Oversight Committee Concerning the Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems (MICJS), this bill modifies current law concerning funding and staff support for the MICJS task force. Specifically, the bill:

- allows the Office of Behavioral Health in the Department of Human Services and any other state agency with an active representative on the task force to receive and expend gifts, grants, and donations in support of the task force;
- permits the Office of Behavioral Health in the Department of Human Services to provide staff assistance to the task force within existing appropriations;
- clarifies that the existing Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems Cash Fund may receive moneys appropriated or transferred by the General Assembly; and
- removes language that prohibits the transfer of unexpended moneys in the fund to the General Fund or another fund.

Background

The Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems Task Force consists of 32 members, including representatives of:

- Colorado Attorney General's Office (1);
- Community mental health centers in Colorado (1);
- County departments of social services (1);
- Criminal Defense Bar (2);
- Department of Corrections (2);
- Department of Education (1);
- Department of Health Care Policy and Financing (1);
- Department of Human Services (5);
- Department of Labor and Employment (1);
- Department of Public Safety (1);
- District attorneys (1);
- Judicial Branch (4)
- Local law enforcement (2);
- Members of the public (3);
- Office of the Alternate Defense Counsel (1);
- Office of the Child's Representative (1);
- Person with knowledge of public benefits/public housing in Colorado (1);
- Practicing forensic professional (1); and
- Practicing mental health professionals (2).

State Revenue

Revenue increase. Under current law, the Division of Criminal Justice in the Department of Public Safety is the only agency authorized to receive and expend gifts, grants, and donations for the task force. This bill expands that authority to the Office of Behavioral Health in the Department of Human Services and any other state agency with an active representative on the task force. To the extent that this change results in additional gifts, grants, and donations in the future, revenue credited to the existing Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems Cash Fund will increase. As of this writing, no source of additional funds has been identified.

State transfers. The bill removes language that prohibits moneys from being transferred from the Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems Cash Fund to the General Fund or another fund. As of this writing, no information about the potential of future transfers was available.

State Expenditures

This bill may increase state expenditures beginning in FY 2017-18. The bill allows any state agency with representation on the task force to receive and expend gifts, grants, and donations. As of this writing, no source of gifts, grants, or donations has been identified and therefore, any increase in expenditures has not been estimated. The bill also permits the Office of Behavioral Health in the Department of Human Services to provide staff assistance to the task force within

existing appropriations. The department is expected to provide limited staffing resources for this purpose, resulting in an increase in workload. This analysis assumes that no adjustments in appropriations are required for any state agency.

Effective Date

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

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| Alternate Defense Counsel | Corrections |
| Counties | District Attorneys |
| Education | Human Services |
| Judicial | Labor |
| Law | Legislative Council Staff |
| Local Affairs | Municipalities |
| Office Of Legislative Legal Services | Office Of The Child's Representative |
| Personnel | Public Defender |
| Public Safety | Sheriffs |
| Treasury | |