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Fiscal Note

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Prime Sponsors:

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Bill Status: Bill Request
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Bill Topic: TRIAGE CENTERS FOR CRIMINAL JUSTICE DIVERSION GRANT PROG

Summary of Fiscal Impact:

- State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill establishes the Behavioral Health Triage Centers for Criminal Justice Diversion Grant Program for municipalities to establish and operate centers that can be used to divert individuals having a behavioral health crisis from the criminal justice system. It increases state expenditures through FY 2025-26.

Appropriation Summary: For FY 2022-23, the bill requires an appropriation of \$8,049,085 to the Department of Human Services.

Fiscal Note Status: The fiscal note reflects the bill draft requested by the Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems.

Table 1
State Fiscal Impacts Under Bill 7

Table with 4 columns: Category, Budget Year FY 2022-23, Out Year FY 2023-24, and values for Revenue, Expenditures, Transfers, and TABOR Refund.

## **Summary of Legislation**

This bill establishes the Behavioral Health Triage Centers for Criminal Justice Diversion Grant Program to award grants to municipalities in order to establish and operate centers that can be used to divert individuals having a behavioral health crisis from the criminal justice system. The Office of Behavioral Health (OBH) in the Department of Human Services (DHS) will administer the program, and to the extent possible, ensure grants are awarded to applicants from a variety of geographic areas of the state. The DHS will promulgate program rules, as outlined in the bill.

Grant recipients may establish and operate a center, or enter into an agreement with an organization to establish and operate a center. Centers established by the grant program must serve as a single location where first responders, including law enforcement and emergency medical providers, can bring an individual experiencing a behavioral health crisis. Centers must be open and available for intake 24 hours per day every day, and be able to assess patients, provide immediate treatment, and make referrals for ongoing treatment.

The DHS must include an update on the grant program's activities in its SMART Act hearing. On or before December 31, 2025, DHS must issue a report on the grant program that includes recommendations on whether to continue and expand the program, and any necessary statutory changes. The program repeals on June 30, 2026.

## **Assumptions**

This fiscal note assumes that the triage centers will have similar expenses and staffing patterns as a Juvenile Assessment Center. Juvenile Assessment Centers offer intake and assessment services to young people, including behavioral health screenings, assessment of risks and needs, and case management. These services are similar to what will be offered in the triage centers.

**State Expenditures**

The bill increases state expenditures in DHS by up to \$8.1 million in FY 2022-23 and up to \$13.4 million in FY 2023-24 from the General Fund. Expenditures are shown in Table 2 and detailed below.

**Table 2  
 Expenditures Under Bill 7**

	FY 2022-23	FY 2023-24
<b>Department of Human Services</b>		
Personal Services	\$111,535	\$121,674
Operating Expenses	\$2,025	\$2,025
Capital Outlay Costs	\$12,400	-
Triage Centers	up to \$7,923,125	up to \$13,690,250
Centrally Appropriated Costs <sup>1</sup>	\$24,043	\$25,955
<b>Total Cost</b>	<b>up to \$8,073,128</b>	<b>up to \$13,839,904</b>
<b>Total FTE</b>	<b>1.4 FTE</b>	<b>1.5 FTE</b>

<sup>1</sup> Centrally appropriated costs are not included in the bill's appropriation.

**Staffing costs.** The OBH requires 1.5 FTE to promulgate rules, manage the grant program, provide technical assistance, collaborate with municipalities, and fulfill the reporting requirements in the bill. Personal services, operating, and capital outlay costs for this staff are shown in Table 2 above.

**Triage centers.** This fiscal note estimates that each triage center will cost \$1,131,875 in FY 2022-23, and \$1,955,750 in FY 2023-24, with staff hired by January 2023 and operations beginning in February 2023. Total costs to the state will depend on the amount awarded for each grant, and the number of triage centers established by municipalities. This fiscal note assumes that the geographic variety requirement in the bill equates to seven triage centers at a total cost of \$7,923,125 in FY 2022-23 and \$13,690,250 in FY 2023-24. This estimate includes salaries and benefits for 20.3 FTE, ongoing costs of computers, office supplies, building lease, utilities, custodial services, and insurance. For FY 2022-23, estimates also include one-time startup expenses such as furniture, computers, and other supplies. The actual amount of grant program funding is at the discretion of the General Assembly.

**Criminal justice system costs.** To the extent that individuals are successfully diverted from the criminal justice system, costs to state agencies involved in the criminal justice system may decrease. These future potential savings have not been estimated.

**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.

## **Local Government**

Municipalities that receive grants may have an increase in workload to find and lease buildings for the centers, or supplement the incomes of staff if the grant award is not sufficient. Similar to the state, to the extent individuals are successfully diverted from the criminal justice system, costs to local agencies involved in the criminal justice system may decrease. These future potential savings have not been estimated.

## **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 2022-23, this bill requires a General Fund appropriation of \$8,049,085 and 1.5 FTE to the Department of Human Services.

## **State and Local Government Contacts**

District Attorneys  
Municipalities

Human Services  
Public Safety

Judicial