

CHAPTER 342

APPROPRIATIONS

SENATE BILL 15-144

BY SENATOR(S) Lambert, Grantham, Steadman;
also REPRESENTATIVE(S) Hamner, Young, Rankin, Fields, Kagan, Rosenthal, Tate, Wilson.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Appropriation to the department of corrections for the fiscal year beginning July 1, 2014. In Session Laws of Colorado 2014, section 2 of chapter 420, (HB 14-1336), **amend** Part II as follows:

Section 2. **Appropriation.**

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART II
DEPARTMENT OF CORRECTIONS**

(1) MANAGEMENT

(A) Executive Director's Office Subprogram

Personal Services	2,052,555	1,808,750			243,805 ^a	
	1,921,058	1,677,253				
		(26.7 FTE)			(4.0 FTE)	
		(23.7 FTE)				
Restorative Justice Program with Victim-Offender Dialogues in Department Facilities	75,000	75,000				
		(1.2 FTE)				
Health, Life, and Dental	42,518,950	41,082,895		1,436,055 ^b		
	42,505,687	41,069,632				
Short-term Disability	713,355	689,706		23,649 ^b		
	713,096	689,447				

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
	\$	\$	\$	\$	\$	\$	\$
S.B. 04-257							
Amortization Equalization							
Disbursement	13,278,568		12,846,049		432,519 ^b		
	13,273,855		12,841,336				
S.B. 06-235							
Supplemental Amortization							
Equalization Disbursement	12,449,789		12,044,303		405,486 ^b		
	12,445,370		12,039,884				
Salary Survey	8,687,747		8,397,125		290,622 ^b		
Merit Pay	3,401,363		3,287,652		113,711 ^b		
Shift Differential	7,390,750		7,352,834		37,916 ^b		
Workers' Compensation	9,484,276		9,184,573		299,703 ^b		
Operating Expenses	359,259		269,259			5,000 ^a	85,000(I) ^c
	357,759		267,759				
Legal Services for							
15,298 19,753 hours	1,596,402 ^d		1,544,916		51,486 ^b		
	2,037,492 ^d		1,971,055		66,437 ^b		
Payment to Risk							
Management and							
Property Funds	3,905,311		3,751,442		153,869 ^b		
Leased Space	3,750,877		3,511,798		239,079 ^c		

Capitol Complex			
Leased Space	65,308	46,653	18,655 ^c
Planning and			
Analysis Contracts	82,410	82,410	
Payments to			
District Attorneys	1,081,102	1,081,102	
	699,126	699,126	
Start-up Costs	<u>4,703</u>	4,703	
	110,897,725		
	110,801,188		

^a These amounts shall be transferred from the Department of Public Safety, Division of Criminal Justice, Victims Assistance, State Victims Assistance and Law Enforcement Program line item.

^b Of these amounts, ~~\$2,849,124~~ \$2,864,075 shall be from sales revenues earned by Correctional Industries, and \$395,892 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding and is included for informational purposes only.

^d Of this amount, \$1,514,656 shall be used to purchase ~~15,298~~ 19,753 hours of legal services from the Department of Law, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

^e These amounts shall be from sales revenues earned by Correctional Industries.

(B) External Capacity Subprogram

(1) Private Prison Monitoring Unit

Personal Services	1,120,884	1,120,884	
		(15.7 FTE)	
Operating Expenses	<u>213,443</u>	183,976	29,467 ^a

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
1,334,327						
(2) Payments to House State Prisoners ^{2,3}						
Payments to local jails at a rate of \$52.74 per inmate per day	12,146,813 12,878,317	12,146,813 12,878,317				
Payments to in-state private prisons at a rate of \$55.08 per inmate per day	64,413,856 68,120,740	62,055,149 65,762,033		2,358,707 ^a		
Payments to pre-release parole revocation facilities at a rate of \$55.08 per inmate per day	11,117,623 12,183,146	11,117,623 12,183,146				
Community Corrections Programs	<u>4,130,340</u> 91,808,632	4,130,340				
	97,312,543					

^a This amount shall be from revenues earned from monitoring private Colorado prisons that house out-of-state offenders.

^a This amount shall be from reserves in the State Criminal Alien Assistance Program Cash Fund created in Section 17-1-107.5 (1), C.R.S.

(C) Inspector General Subprogram

Personal Services	3,930,210	3,823,977 (47.9 FTE)	106,233 ^a		
Operating Expenses	425,612 425,537	342,425 342,350	83,187 ^a		
Inspector General Grants	235,649			27,737 ^b (1.0 FTE)	207,912(I)
	<u>4,591,471</u> 4,591,396				

^a These amounts shall be from revenues earned from private prison out of state offender investigations.

^b This amount shall be from federal funds appropriated to the Division of Homeland Security and Emergency Management in the Department of Public Safety.

~~208,632,155~~
214,039,454

(2) INSTITUTIONS

(A) Utilities Subprogram

Energy Management Program	304,899	304,899			
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
			(2.6 FTE)				
Utilities	19,727,754		18,658,219		1,069,535^a		
	<u>21,166,542</u>		20,019,003		1,147,539 ^a		
	20,032,653						
	21,471,441						

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services	17,437,829					
	(276.8 FTE)					
Operating Expenses	5,014,113					
Purchase of Services	<u>1,467,820</u>					
	23,919,762		23,919,762			

(C) Housing and Security Subprogram

Personal Services	161,908,081 ^a		161,905,134		2,947 ^b	
			(2,945.4 FTE)			
Operating Expenses	<u>1,802,941</u>		1,802,941			
	163,711,022					

^a In addition to the funding provided in this line item, it is the intent of the General Assembly that the Department of Corrections utilize the General Fund appropriations totaling \$198,977 that are contained in Sections 17-18-105 (1)(e), 17-18-107 (1)(c), 17-18-108 (1)(a), 17-18-109 (1)(a), and 17-18-110 (1)(a), C.R.S., for these purposes.

^b This amount shall be from the Corrections Expansion Reserve Fund created in Section 17-1-116, C.R.S., from forfeiture bonds and fees, pursuant to Section 16-3-503 (2), C.R.S.

(D) Food Service Subprogram

Personal Services	17,845,243	17,845,243	
		(317.8 FTE)	
Operating Expenses	16,182,019	16,102,019	80,000(1) ^a
Purchase of Services	<u>1,704,331</u>	1,704,331	
	35,731,593		

^a This amount is anticipated to be received from the U.S. Department of Agriculture and is included for informational purposes only.

(E) Medical Services Subprogram

Personal Services	31,126,669	30,888,286	238,383 ^a
		(384.5 FTE)	(3.0 FTE)
Operating Expenses	2,579,052	2,579,052	
Purchase of Pharmaceuticals	11,920,941	11,920,941	
	14,909,058	14,909,058	
Purchase of Medical Services from Other Medical Facilities ⁴	21,172,885	21,172,885	
	22,131,178	22,131,178	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
	\$	\$	\$	\$	\$	\$	\$
Catastrophic Medical Expenses ⁴	14,039,231		14,039,231				
	3,546,838		3,546,838				
Service Contracts	2,448,451		2,448,451				
Indirect Cost Assessment	<u>2,322</u>				2,322 ^a		
	83,289,551						
	76,743,568						

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113, C.R.S.

(F) Laundry Subprogram

Personal Services	2,313,400	
	(37.4 FTE)	
Operating Expenses	<u>2,197,545</u>	
	4,510,945	4,510,945

(G) Superintendents Subprogram

Personal Services	10,199,361	
	(155.9 FTE)	
Operating Expenses	3,305,701	
Dress Out	735,433	

Start-up costs	<u>11,600</u>	
	14,252,095	14,252,095

(H) Youthful Offender System Subprogram

Personal Services	10,276,034	
	(160.7 FTE)	
Operating Expenses	604,705	
Contract Services	28,820	
Purchase of Services	<u>624,589</u>	
	11,534,148	11,534,148

(I) Case Management Subprogram

Personal Services	15,612,918	
	(217.8 FTE)	
Operating Expenses	157,931	
Offender ID Program	341,135	
Start-up Costs	<u>9,406</u>	
	16,121,390	16,121,390

(J) Mental Health Subprogram

Personal Services	10,552,735	10,552,735	
		(127.1 FTE)	
Operating Expenses	259,266	259,266	
Medical Contract Services	3,967,510	3,967,510	
Mental Health Grants	<u>64,799</u>		64,799 ^a
	14,844,310		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(K) Inmate Pay Subprogram						
1,647,885		1,647,885				
(L) Legal Access Subprogram						
Personal Services	1,366,196					
	(21.5 FTE)					
Operating Expenses	299,602					
Contract Services	70,905					
	<u>1,736,703</u>	1,736,703				
	391,332,057					
	386,224,862					
(3) SUPPORT SERVICES						
(A) Business Operations Subprogram						
Personal Services	6,096,661	5,369,265		38,991 ^a	688,405 ^b	
		(89.8 FTE)			(10.0 FTE)	
Operating Expenses	<u>234,201</u>	234,201				

^a This amount shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

6,330,862

^a This amount shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S.

^b Of this amount, \$600,194 shall be from department-wide indirect cost recoveries and \$88,211 shall be from statewide indirect cost recoveries.

(B) Personnel Subprogram

Personal Services	1,254,587	
	(18.7 FTE)	
Operating Expenses	<u>86,931</u>	
	1,341,518	1,341,518

(C) Offender Services Subprogram

Personal Services	3,010,766	
	(44.1 FTE)	
Operating Expenses	<u>62,044</u>	
	3,072,810	3,072,810

(D) Communications Subprogram

Operating Expenses	1,568,385	1,568,385
	1,567,035	1,567,035
Dispatch Services	<u>224,477</u>	224,477
	1,792,862	
	1,791,512	

(E) Transportation Subprogram

Personal Services	1,976,837	1,976,837
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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
			(35.9 FTE)				
Operating Expenses	284,794		284,794				
Vehicle Lease Payments	<u>3,223,333</u>		2,858,381		364,952 ^a		
	5,484,964						

^a Of this amount, \$348,246 shall be from sales revenues earned by Correctional Industries, and \$16,706 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

Personal Services	1,918,036						
	(25.0 FTE)						
Operating Expenses	279,870						
	<u>279,795</u>						
	2,197,906		2,197,906				
	2,197,831		2,197,831				

(G) Information Systems Subprogram

Operating Expenses	1,624,042		1,624,042				
	1,623,442		1,623,442				
COFRS Modernization	559,912		480,395		30,736 ^a	33,379 ^b	15,402 ^(f)
	723,058		637,959		40,775 ^a	44,324 ^b	
Payments to OIT	18,594,153		18,479,135		115,018 ^a		

<u>18,703,900</u>	18,588,882
20,778,107	
21,050,400	

^a Of these amounts, ~~\$127,972~~ \$136,786 shall be from Correctional Industries sales to non-state entities and ~~\$17,782~~ \$19,007 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from Correctional Industries sales to other state agencies.

(H) Facility Services Subprogram

Personal Services	935,322	
	(9.7 FTE)	
Operating Expenses	<u>83,096</u>	
	1,018,418	1,018,418
	42,017,447	
	42,288,315	

(4) INMATE PROGRAMS

(A) Labor Subprogram

Personal Services	5,463,790	
	(88.7 FTE)	
Operating Expenses	<u>88,017</u>	
	5,551,807	5,551,807

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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(B) Education Subprogram							
Personal Services	11,898,724		10,930,930		967,794 ^a		
			(188.8 FTE)				
Operating Expenses	2,643,999		1,093,900		1,139,084 ^a	411,015 ^b	
Contract Services	173,276		173,276				
Education Grants	113,894				10,000 ^c	76,244 ^d	27,650(I)
						(2.0 FTE)	
Indirect Cost Assessment	<u>313</u>						313(I)
	14,830,206						

^a Of these amounts, \$1,371,411 shall be from sales revenues earned by the Canteen Operation and \$735,467 shall be from sales revenues earned by vocational programs.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

^c This amount shall be from gifts, grants, and donations.

^d Of this amount, \$42,410 shall be from special education funds, \$25,470 shall be from Title I - No Child Left Behind funds received from the Colorado Department of Education, and \$8,364 shall be from an HIV Prevention Program of the Colorado Department of Public Health and Environment.

(C) Recreation Subprogram

Personal Services	6,609,626		6,609,626				
			(116.7 FTE)				
Operating Expenses	<u>71,232</u>				71,232 ^a		

6,680,858

^a This amount shall be from sales revenues earned by the Canteen Operation.

(D) Drug and Alcohol Treatment Subprogram

Personal Services	5,083,589	5,083,589	
		(85.4 FTE)	
Operating Expenses	110,932	110,932	
Services for Substance Abuse and Co-occurring Disorders	995,127		995,127 ^a
Contract Services	2,391,100	2,041,100	350,000 ^a
Treatment Grants	<u>126,682</u>		126,682 ^b
	8,707,430		

^a These amounts shall be transferred from the Judicial Department, Probation and Related Services, from the Offender Treatment and Services line item appropriation. These amounts originate as General Fund that is appropriated to the Correctional Treatment Cash Fund pursuant to Sections 18-19-103 (3.5) (b), (3.5) (c), and (4) (a), C.R.S.

^b This amount shall be from grant funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

(E) Sex Offender Treatment Subprogram

Personal Services	3,912,754	3,882,713	30,041 ^a
		(54.8 FTE)	(1.0 FTE)
Operating Expenses	92,276	91,776	500 ^a
Polygraph Testing	242,500	242,500	

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Sex Offender Treatment Grants	<u>65,597</u>					65,597(I)
	4,313,127					

^a These amounts shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

(F) Volunteers Subprogram

Personal Services	587,863					
	(8.0 FTE)					
Operating Expenses	<u>17,912</u>					
	605,775			605,775 ^a		

^a This amount shall be from sales revenues earned by the Canteen Operation.

40,689,203

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services	16,507,811	16,507,811				
		(263.1 FTE)				
Operating Expenses	1,680,312	1,680,312				

Contract Services	6,551,403	4,414,303	2,137,100 ^a
Wrap-Around Services Program	1,539,243	1,539,243	
Non-residential Services	1,215,818	1,215,818	
Home Detention	<u>69,383</u>	69,383	
	27,563,970		

^a This amount shall be transferred from the Judicial Department, Probation and Related Services, from the Offender Treatment and Services line item appropriation. This amount includes \$2,112,100 that originates as General Fund that is appropriated to the Correctional Treatment Cash Fund pursuant to Sections 18-19-103 (3.5) (b), (3.5) (c), and (4) (a), C.R.S., and \$25,000 that originates as General Fund that is appropriated for the provision of day reporting services.

(B) Community Supervision Subprogram

(1) Community Supervision

Personal Services	5,918,259	5,918,259	
		(83.8 FTE)	
Operating Expenses	632,650	632,650	
Community Mental Health Services	629,363	629,363	
Psychotropic Medication	131,400	131,400	
Contract Services	2,863,324	2,863,324	
Contract Services for High Risk Offenders	221,200	221,200	
Contract Services for Fugitive Returns	<u>74,524</u>	42,049	32,475 ^a
	10,470,720		

^a This amount shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(2) Youthful Offender System Aftercare						
Personal Services	644,187					
	(8.0 FTE)					
Operating Expenses	141,067					
Contract Services	1,062,396					
	<u>1,847,650</u>	1,847,650				
(C) Community Re-entry Subprogram						
Personal Services	2,056,015	2,056,015				
		(35.6 FTE)				
Operating Expenses	123,202	123,202				
Offender Emergency Assistance	96,768	96,768				
Contract Services	190,000	190,000				
Offender Re-employment Center	374,000	364,000		10,000 ^a		
Community Reintegration Grants	48,779				9,681 ^b	39,098(I)
						(1.0 FTE)
	<u>2,888,764</u>					

^a This amount shall be from gifts, grants, and donations.

^b This amount shall be from funds appropriated to the Division of Housing in the Department of Local Affairs.

42,771,104

(6) PAROLE BOARD

Personal Services	1,376,891		
	(16.2 FTE)		
Operating Expenses	106,390		
Contract Services	272,437		
Start-up Costs	<u>14,109</u>		
	1,769,827	1,769,827	

(7) CORRECTIONAL INDUSTRIES

Personal Services	10,335,878	3,164,875 ^a	7,171,003 ^b	
		(42.8 FTE)	(112.2 FTE)	
Operating Expenses	5,928,190	1,817,327 ^a	4,110,863 ^b	
Raw Materials	35,823,826	8,441,080 ^a	27,382,746 ^b	
Inmate Pay	1,649,702	468,453^a	1,181,249^b	
	1,673,102	480,153 ^a	1,192,949 ^b	
Capital Outlay	1,406,200	337,094 ^a	1,069,106 ^b	
Correctional Industries Grants	503,050			503,050(I)
Indirect Cost Assessment	<u>608,920</u>	129,841 ^a	263,831 ^b	215,248(I)
	56,255,766			

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	56,279,166					

^a Of these amounts, ~~\$14,208,670~~ \$14,220,370 is estimated to be from sales to non-state entities and \$150,000 is estimated to be from the Land Improvement Fund.

^b Of these amounts, ~~\$35,385,429~~ \$35,397,129 is estimated to be from sales to other state agencies and \$5,793,369 is estimated to be from the Department of Revenue for the purchase of license plates.

(8) CANTEEN OPERATION

Personal Services	1,873,739				
	(28.0 FTE)				
Operating Expenses	12,851,987				
Inmate Pay	40,386				
	43,386				
Indirect Cost Assessment	<u>76,850</u>				
	14,842,962			14,842,962(I)^a	
	14,845,962			14,845,962(I) ^a	

^a This amount shall be from sales revenues earned by the Canteen Operation and is shown for informational purposes because it is continuously appropriated to the division pursuant to Section 17-24-126 (1), C.R.S.

**TOTALS PART II
(CORRECTIONS)^{4a}**

\$798,310,521	\$710,711,718		\$39,979,286 ^a	\$46,380,247	\$1,239,270 ^b
<u>\$798,907,893</u>	<u>\$711,184,153</u>	<u> </u>	<u>\$40,096,980^a</u>	<u>\$46,402,892</u>	<u>\$1,223,868^b</u>

^a Of this amount, ~~\$14,842,962~~ \$14,845,962 contains an (I) notation.

^b This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 2 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners --The Department of Corrections be is authorized to transfer up to 5.0 percent of the total appropriation for the external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community corrections providers.
- 3 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners --It is the intent of the General Assembly that the appropriations made for payments to private facilities housing state inmates be used exclusively for the purpose of per diem payments and that the department not withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities. It is assumed that appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities.
- 4 Department of Corrections, Institutions, Medical Services Subprogram, Purchases of Medical Services from Other Medical Facilities; Catastrophic Medical Expenses -- The Department of Corrections is authorized to transfer up to 20.0 percent of the total appropriation for Purchases of Medical Services from Other Medical Facilities between these line items.
- 4a Department of Corrections, Totals -- It is the intent of the General Assembly that when the Department of Corrections applies the 2.5 percent salary survey increase reflected in the salary survey line item appropriations, that employees other than Corrections Case Managers, Corrections/Youth/Clinical Officers, and Community Parole Officers shall receive a base-building increase up to the range maximum, and that salary survey increase amounts over the range maximum shall not be base-building. It is the intent of the General Assembly that Corrections Case Managers, Corrections/Youth/Clinical Officers, and Community Parole Officers shall receive a base-building increase below, at, or over the range maximum because range minimums and maximums for Corrections Case Managers, Corrections/Youth/Clinical Officers, and Community Parole Officers adjust to reflect any increase.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 11, 2015