

MEMORANDUM

TO: Joint Budget Committee Members

FROM: Christina Beisel, JBC Staff

SUBJECT: Staff Comeback - Department of Public Safety State Toxicology Laboratory Funding

DATE: January 26, 2015

The Committee tabled a decision on the Department's request "S2 State Toxicology Laboratory Funding" until information could be provided by JBC staff regarding LEAF funding. Below is an updated recommendation for the Committee's review.

SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #2 STATE TOXICOLOGY LABORATORY FUNDING

	Request	Recommendation
Total	<u>(\$396,592)</u>	<u>(\$396,592)</u>
FTE	0.3	0.3
General Fund	0	0
Cash Funds	(396,592)	(396,592)

Department Request: The Department requests a net decrease of \$396,592 cash funds in FY 2014-15. This request includes a decrease of \$696,592 cash funds from the State Toxicology Fund and an increase of \$300,000 cash fund spending authority from the Law Enforcement Assistance Fund (LEAF).

Staff Recommendation: Staff recommends approving the Department's request.

Updated Staff Analysis: House Bill 14-1340 authorized the appropriation of funds from the Law Enforcement Assistance Fund (LEAF) to the Department. Pursuant to Section 43-4-402 (2)(a), C.R.S., appropriations from LEAF can be made to both CDPHE for evidential breath alcohol testing services and to CBI for toxicology services. Following these appropriations, the remaining balance of the Fund is split between the Colorado Department of Transportation (CDOT) for drunk driving programs and the Department of Human Services (DHS) for behavioral health programs and services. Of that balance, 80.0 percent is allocated to CDOT and the remaining 20.0 percent to DHS.

Following the closure of the toxicology lab in the Colorado Department of Public Health (CDPHE), an associated reduction was made to their LEAF allocation. As a result, CDOT and DHS received increased distributions in FY 2013-14.

Law Enforcement Assistance Fund Distributions

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Dept. Budget
Total LEAF Revenue	\$1,739,938	\$1,729,996	N/A
CDPHE Portion	\$921,074	\$597,202	\$550,000
CDPS Portion	N/A	N/A	\$300,000
CDOT Portion	\$655,091	\$906,235	\$650,000
DHS Portion	\$163,772	\$226,558	\$255,000

After speaking with CDOT and the JBC analyst for DHS Behavioral Health, staff has determined that neither CDOT or DHS will be negatively impacted by the approval of this request. Therefore, staff recommends approval of the request.