

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 14, 2021

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB21-1280 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 9, line 27, after "16-4-116" insert "and
2 16-4-117".

3 Page 11, after line 10 insert:

4 **"16-4-117. District attorney assistance for bond hearings grant**
5 **program - created - cash fund - rules - repeal.** (1) ALL COSTS AND
6 EXPENSES RELATED TO A DISTRICT ATTORNEYS' OFFICE'S ABILITY TO
7 COMPLY WITH THE BOND HEARING REQUIREMENTS OF SECTION 16-4-102
8 (2)(a) ARE REASONABLE AND NECESSARY EXPENSES REQUIRED TO FULLY
9 DISCHARGE THE OFFICIAL DUTIES OF THE OFFICE.

10 (2) THERE IS HEREBY CREATED IN THE COLORADO DISTRICT
11 ATTORNEYS' COUNCIL THE DISTRICT ATTORNEY ASSISTANCE FOR BOND
12 HEARINGS GRANT PROGRAM TO PROVIDE GRANTS TO ASSIST DISTRICT
13 ATTORNEYS IN COMPLYING WITH SECTION 16-4-102 (2)(a).

14 (3) GRANT RECIPIENTS SHALL USE THE MONEY TO PAY FOR ANY
15 REASONABLE COST OR EXPENSE DIRECTLY RELATED TO COMPLIANCE WITH
16 SECTION 16-4-102 (2)(a), INCLUDING BUT NOT LIMITED TO PERSONNEL,
17 EQUIPMENT, AND TRAVEL.

18 (4) THE COLORADO DISTRICT ATTORNEYS' COUNCIL SHALL
19 ADMINISTER THE GRANT PROGRAM AND, SUBJECT TO AVAILABLE
20 APPROPRIATIONS, SHALL AWARD GRANTS. SUBJECT TO AVAILABLE
21 APPROPRIATIONS, GRANTS SHALL BE PAID OUT OF THE DISTRICT ATTORNEY
22 ASSISTANCE FOR BOND HEARINGS CASH FUND CREATED IN SUBSECTION (9)
23 OF THIS SECTION.

1 (5) THE COLORADO DISTRICT ATTORNEYS' COUNCIL SHALL
2 PROMULGATE SUCH RULES AS MAY BE NECESSARY TO IMPLEMENT THE
3 GRANT PROGRAM. AT A MINIMUM, THE RULES MUST SPECIFY THE TIME
4 FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM
5 APPLICATION, AND THE TIME FRAMES FOR DISTRIBUTING GRANT MONEY.

6 (6) TO RECEIVE A GRANT, A DISTRICT ATTORNEY MUST SUBMIT AN
7 APPLICATION TO THE COLORADO DISTRICT ATTORNEYS' COUNCIL IN
8 ACCORDANCE WITH RULES PROMULGATED BY THE COLORADO DISTRICT
9 ATTORNEYS' COUNCIL.

10 (7) THE COLORADO DISTRICT ATTORNEYS' COUNCIL EXECUTIVE
11 COMMITTEE SHALL REVIEW ALL APPLICATIONS RECEIVED PURSUANT TO
12 THIS SECTION AND SHALL PRIORITIZE AWARDED AT LEAST SEVENTY-FIVE
13 PERCENT OF ALL AVAILABLE GRANT MONEY TO DISTRICT ATTORNEYS'
14 OFFICES LOCATED IN A JUDICIAL DISTRICT WITH A POPULATION BASE OF
15 TWO HUNDRED THOUSAND PEOPLE OR FEWER TO COMPLY WITH SECTION
16 16-4-102 (2)(a).

17 (8) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
18 OCTOBER 1 EACH YEAR OF THE GRANT PROGRAM, THE COLORADO
19 DISTRICT ATTORNEYS' COUNCIL SHALL AWARD GRANTS.

20 (9) (a) THE DISTRICT ATTORNEY ASSISTANCE FOR BOND HEARINGS
21 CASH FUND, REFERRED TO IN THIS SUBSECTION (9) AS THE "FUND", IS
22 HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF
23 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER
24 TO THE FUND.

25 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
26 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
27 FUND TO THE FUND.

28 (c) ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING
29 IN THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN THE FUND
30 AND MAY BE SPENT IN FUTURE FISCAL YEARS.

31 **SECTION 3.** In Colorado Revised Statutes, 20-1-111, **add** (4)(d)
32 as follows:

33 **20-1-111. District attorneys may cooperate or contract -**
34 **contents - appropriation - repeal.** (4) (d) THE GENERAL ASSEMBLY
35 SHALL ANNUALLY APPROPRIATE NECESSARY FUNDS TO THE DEPARTMENT
36 OF LAW FOR ALLOCATION TO THE COLORADO DISTRICT ATTORNEYS'
37 COUNCIL, OR ITS SUCCESSOR, FOR THE PUBLIC PURPOSE OF PROVIDING
38 GRANTS TO LOCAL DISTRICT ATTORNEYS' OFFICES TO COVER COSTS AND
39 EXPENSES RELATED TO COMPLYING WITH THE BOND HEARING
40 REQUIREMENTS OF SECTION 16-4-102 (2)(a). BY NOVEMBER 1 OF EACH
41 YEAR, THE COLORADO DISTRICT ATTORNEYS' COUNCIL SHALL SUBMIT A

1 REQUEST TO THE JOINT BUDGET COMMITTEE FOR NECESSARY FUNDS
2 CONSISTENT WITH THIS SUBSECTION (4)(d)."

3 Renumber succeeding sections accordingly.

4 Page 12, after line 4 insert:

5 **"SECTION 5. Appropriation.** (1) For the 2021-22 state fiscal
6 year, \$412,816 is appropriated to the judicial department for use by courts
7 administration. This appropriation consists of \$318,184 from the general
8 fund and \$94,632 from the judicial department information technology
9 cash fund created in section 13-32-114 (1), C.R.S. To implement this act,
10 the department may use this appropriation as follows:

11 (a) \$115,332, which consists of \$47,100 from the general fund
12 and \$68,232 from the judicial department information technology cash
13 fund created in section 13-32-114 (1), C.R.S., for general courts
14 administration, which amount is based on an assumption that the
15 department will require an additional 1.0 FTE;

16 (b) \$92,218, which consists of \$65,818 from the general fund and
17 \$26,400 from the judicial department information technology cash fund
18 created in section 13-32-114 (1), C.R.S., for capital outlay; and

19 (c) \$205,266 from the general fund for trial court programs, which
20 amount is based on an assumption that the department will require an
21 additional 2.2 FTE.

22 (2) For the 2021-22 state fiscal year, \$67,136 is appropriated to
23 the judicial department for use by the office of the state public defender.
24 This appropriation is from the general fund. To implement this act, the
25 office may use this appropriation as follows:

26 (a) \$27,836 for personal services;

27 (b) \$38,000 for capital outlay; and

28 (c) \$1,300 for operating expenses.

29 (3) For the 2021-22 state fiscal year, \$19,500 is appropriated to
30 the department of public safety for use by the division of criminal justice.
31 This appropriation is from the general fund. To implement this act, the
32 division may use this appropriation for DCJ administrative services.

33 (4) For the 2021-22 state fiscal year, \$150,000 is appropriated to
34 the district attorney assistance for bond hearings cash fund created in
35 section 16-4-117 (9)(a), C.R.S. This appropriation is from the general
36 fund. The department of law is responsible for the accounting related to
37 this appropriation.

38 (5) For the 2021-22 state fiscal year, \$150,000 is appropriated to



1 the department of law. This appropriation is from reappropriated funds in
2 the district attorney assistance for bond hearings cash fund under
3 subsection (4) of this section. To implement this act, the department may
4 use the appropriation for the district attorney assistance for bond hearings
5 grant program."

6 Renumber succeeding section accordingly.

7 Page 1, line 102, strike "**PROCESS.**" and substitute "**PROCESS, AND, IN**
8 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

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