



**Colorado
Legislative
Council
Staff**

HB17-1040

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 17-0380
Prime Sponsor(s): Rep. Lundeen; Foote
Sen. Priola; Jahn

Date: June 1, 2017
Bill Status: Signed into Law
Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: INTERCEPTION OF HUMAN TRAFFICKING COMMUNICATIONS

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue	Minimal potential increase. See State Revenue and Expenditures section.	
State Expenditures		
TABOR Impact	See TABOR Impact section.	
Appropriation Required: None.		
Future Year Impacts: Ongoing potential minimal revenue and workload increase.		

Summary of Legislation

This bill allows a judge to issue an ex parte order authorizing the interception of certain communications when probable cause exists to believe that evidence of human trafficking crimes will be obtained. This wiretapping and eavesdropping authority currently exists for such crimes as second degree murder, kidnapping, gambling, robbery, bribery, dealing in controlled substances, escape, criminal conspiracy, limited gaming, and crimes dangerous to persons or property.

State Revenue and Expenditures

Beginning in FY 2017-18 and to the extent that this bill leads to more case filings or additional evidence in existing cases, state revenue, workload, and costs will increase. If additional case filings lead to additional convictions and judges impose fees and fines, cash fund revenue credited to the Judicial Department will increase. This analysis assumes any additional revenue will be minimal.

Costs and workload may also increase for the courts and agencies within the Judicial Department, including the Office of the State Public Defender and Office of the Alternate Defense Counsel, that provide representation to indigent offenders. To the extent that more case filings and evidence lead to more convictions, costs may also increase for the Department of Corrections. This analysis assumes that any workload or costs increases are minimal, and if they exceed this estimate, adjustments in appropriations will be requested through the annual budget process by the affected agency.

TABOR Impact

To the extent this bill increases state cash fund revenue from court fees or fines, it will increase the amount of money required to be refunded under TABOR. TABOR refunds are paid out of the General Fund.

Local Government Impact

Similar to the state, this bill may increase costs and workload for law enforcement and district attorneys to prosecute additional cases or review additional evidence obtained as a result of a wiretap and eavesdropping order. These impacts are assumed to be minimal.

Effective Date

The bill was signed into law by the Governor on March 23, 2017, and takes effect September 1, 2017, assuming no referendum petition is filed. It applies to orders applied for on or after the applicable effective date of the bill.

State and Local Government Contacts

Corrections
Information Technology
Public Safety

Counties
Judicial
Sheriffs

District Attorneys
Municipalities