



Colorado
Legislative
Council
Staff

HB17-1252

FINAL
FISCAL NOTE

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

Drafting Number: LLS 17-1036
Prime Sponsor(s): Rep. Ginal
Sen. Hill

Date: August 2, 2017
Bill Status: Signed into Law
Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: COURTS COLLECT COSTS FROM CRIMINAL OFFENDERS

Summary of Legislation

This bill clarifies that collections made by a court for a person convicted of a criminal offense can be transferred to the prosecuting attorney or law enforcement agency, including the Colorado State Patrol.

Background

Prior to the adoption of House Bill 16-1378, the court was able to order that a defendant reimburse costs associated with the collection and analysis of chemical tests and that those costs be reimbursed directly to the law enforcement agency that incurred them. HB16-1378 clarified that, when the court orders that a defendant reimburse these costs, the court is required to collect those moneys and transfer them to the law enforcement agency that performed the chemical test, except that the court is not required to do this for the Colorado State Patrol within the Department of Public Safety. The effect of this bill was to inadvertently remove the ability of a prosecuting attorney to receive certain reimbursements for costs of prosecution that occurred after July 2016.

Local Government Impact

This bill may increase revenue to prosecuting attorneys by allowing them to receive disbursements for court-approved reimbursements of prosecution costs. The amount of these reimbursements will vary by jurisdiction and has not been estimated.

Effective Date

The bill was signed into law by the Governor on June 6, 2017, and takes effect August 9, 2017, assuming no referendum petition is filed.

State and Local Government Contacts

District Attorneys

Information Technology

Judicial

Public Safety
