



**Colorado
Legislative
Council
Staff**

SB17-221

FISCAL NOTE

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

Drafting Number: LLS 17-0313
Prime Sponsor(s): Sen. Court
Rep. Melton

Date: March 17, 2017
Bill Status: Senate SVMA
Fiscal Analyst: Chris Creighton (303-866-5834)

BILL TOPIC: SUNSET REVIEW COURT SECURITY CASH FUND COMMISSION

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
<i>Continuing revenue</i>	<u>\$2,000,000</u>	<u>\$2,000,000</u>
Cash Funds	2,000,000	2,000,000
State Expenditures	<u>\$2,477,567</u>	<u>\$2,477,567</u>
<i>Continuing expenditures</i>		
General Fund	503,468	503,468
Cash Funds	1,974,099	1,974,099
TABOR Impact	\$2,000,000	\$2,000,000
FTE Position Change	1.0 FTE	1.0 FTE
Appropriation Required: None, see State Appropriations section.		
Future Year Impacts: Continuation of current revenue and expenditures.		

Summary of Legislation

This bill indefinitely continues the Court Security Cash Fund Commission (Court Security Commission) and the Court Security Cash Fund in the Judicial Department. Under current law, the commission and fund are scheduled to repeal on July 1, 2017.

Background

The Court Security Commission was created in 2007 and has seven members whom serve without compensation and are not reimbursed for expenses. It evaluates grant applications and makes court security grant funding recommendations to the Office of the State Court Administrator, including 68 grant requests in calendar year 2015 and 65 grant requests in 2016. Grant funding in the amount of \$2,167,203 was awarded in 2015 and \$2,143,418 was awarded in 2016. Awarded grant funds are used by counties for court security equipment, training for local security teams, and emergency court security needs. These awards are paid out of the Court Security Cash Fund which is funded by a \$5 surcharge on certain docket and filing fees and gifts, grants, and donations.

State Revenue

By continuing the Court Security Commission and Cash fund, the bill will increase state cash fund revenues beginning in FY 2017-18 by an estimated \$2 million per year. These revenues represent a continuation of the current revenues generated from the \$5 surcharge and gifts, grants, and donations. Gifts, grants, and donations are not subject to TABOR.

TABOR Impact

This bill increases state cash fund revenue from surcharges, which will increase the amount of money required to be refunded under TABOR for FY2017-18 and FY 2018-19. TABOR refunds are paid out of the General Fund. Since the bill increases the TABOR refund obligation without a corresponding change in General Fund revenue, the amount of money available in the General Fund for the budget will decrease by an identical amount.

State Expenditures

By continuing the Court Security Commission, the bill will increase expenditures in the Judicial Department by \$503,468 General Fund and \$1,974,099 cash funds per year beginning in FY 2017-18. These costs represent a continuation of the current expenses which include 1.0 FTE for a court security specialist, administrative costs, and court security grant funding.

Local Government Impact

This bill increases revenue and expenditures for counties that receive court security grant funding beginning in FY 2017-18 by continuing the grant program. The fiscal note assumes grants of about \$2.1 million will be awarded each year, consistent with current grant awards.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State Appropriations

No appropriation is needed. The Judicial Department requested \$503,468 General Fund and \$1,974,099 Court Security Cash Funds and an allocation of 1.0 FTE in its FY 2017-18 budget request. If this funding is not included in the FY 2017-18 Long Bill, this bill will require an appropriation of \$503,468 General Fund and \$1,974,099 Court Security Cash Funds and an allocation of 1.0 FTE to the Judicial Department.

State and Local Government Contacts

Judicial