

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING ESTABLISHING ALTERNATIVE PROGRAMS IN THE CRIMINAL JUSTICE SYSTEM TO REDIRECT INDIVIDUALS WITH A BEHAVIORAL HEALTH CONDITION TO COMMUNITY TREATMENT.

Prime Sponsors: Sens. Gardner and Lambert
Reps. Lee and Young

JBC Analyst: Carolyn Kampman
Phone: 303-866-4959
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Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/26/18.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
XXX	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The Senate Judiciary Committee Report (04/30/18) consists of a "strike below" amendment, so the Report is now essentially the bill. Rather than creating alternative programs in every judicial district to redirect individuals with a behavioral health condition to community treatment, the Report establishes pre-plea mental health pilot programs in four specific judicial districts. The Report requires:

- the State Court Administrator's Office to administer and oversee the pilot programs and administer the Mental Health Criminal Justice Diversion Grant Program; and
- the Chief Judge in each judicial district to establish and administer the local pilot program and contract with local community treatment programs to accomplish the goals of the program.

The Report states that annual grants must not exceed a total of \$750,000. Based on discussions with the proponents of this amendment (staff at the Colorado District Attorneys' Council), staff understands that this maximum dollar amount is intended to cover all administrative costs. Thus, the fiscal impact of the bill as amended is \$750,000 General Fund in both FY 2018-19 and FY 2019-20. The State Court Administrator's Office is anticipated to require 0.5 FTE starting in FY 2018-19 to establish and administer the grant program. Legislative Council Staff agrees with this updated analysis.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.001	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill requires but does not contain an appropriation clause.

Description of Amendments in This Packet

J.001 Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$750,000 General Fund to the Judicial Department for FY 2018-19. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.5 FTE.

Points to Consider

General Fund Impact

The Joint Budget Committee (JBC) has proposed a budget package for FY 2018-19 based on the March 2018 Office of State Planning and Budgeting revenue forecast. The JBC has included as part of its FY 2018-19 budget package a total of \$7,900,000 General Fund for appropriations required for implementation of the four bills concerning competency (S.B. 18-249, S.B. 18-250, S.B. 18-251, and S.B. 18-252).