



Legislative
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HB 19-1073

**REVISED
FISCAL NOTE**

(replaces fiscal note dated January 28, 2019)

Drafting Number: LLS 19-0253
Prime Sponsors: Rep. Benavidez
 Sen. Fields
Date: April 29, 2019
Bill Status: Senate Judiciary
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Bill Topic: LAW ENFORCEMENT INFORMATION SHARING GRANT PROGRAM

Summary of Fiscal Impact:

| | |
|---|--|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input checked="" type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program. It will increase state and local government expenditures in FY 2019-20 and in future years.

Appropriation Summary: For FY 2019-20, this bill requires and includes an appropriation of \$500,000 to the Department of Public Safety.

Fiscal Note Status: This fiscal note has been revised to reflect the reengrossed bill.

**Table 1
State Fiscal Impacts Under HB 19-1073**

| | | FY 2019-20 | FY 2020-21 |
|---------------------|-------------------------|-------------------|-------------------|
| Revenue | | - | - |
| Expenditures | Marijuana Tax Cash Fund | \$479,947 | - |
| | Centrally Appropriated | \$20,053 | - |
| | Total | \$500,000 | - |
| | Total FTE | 0.7 FTE | - |
| Transfers | | - | - |
| TABOR Refund | | - | - |

Summary of Legislation

This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program (grant program) in the Division of Homeland Security and Emergency Management in the Department of Public Safety (DPS). The purpose of this grant program is to provide grants to assist local law enforcement agencies with gaining access to the Colorado Information Sharing Consortium (CISC).

Grant award criteria and requirements. The DPS must consider the following criteria to award a grant to a local law enforcement agency:

- the financial need of the applicant;
- the applicant's commitment to sharing all accessible and relevant law enforcement and intelligence information in the applicant's custody; and
- the applicants commitment to assuming fiscal responsibility for the ongoing annual costs of maintaining data sharing through CISC once grant funds are no longer available.

In addition to the above criteria, grant recipients must comply with certain requirements regarding records, federal compliance, and data collection and sharing as specified in the bill.

Reporting requirements. Grant recipients must submit a report to the DPS by July 30 of each year it receives or expends grant funds.

Funding. This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Cash Fund and appropriates \$500,000 to the fund from the Marijuana Tax Cash Fund in FY 2019-20. The DPS is allowed to use up to five percent of the annual amount appropriated to this fund to administer the grant. All remaining money in the cash fund must be transferred to the General Fund on July 1, 2022.

State Transfers

This bill creates a state transfer from the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Fund of any unexpended funds to the General Fund on July 1, 2022. The amount of funds to be transferred is unknown, but is expected to be minimal.

State Expenditures

For FY 2019-20 only, this bill increases state expenditures in the DPS by \$500,000 and 0.7 FTE as shown in Table 2 and described below.

Table 2
Expenditures Under HB 19-1073

| | FY 2019-20 | FY 2020-21 |
|--|------------------|------------|
| Department of Public Safety | | - |
| Personal Services | \$61,333 | - |
| Operating Expenses and Capital Outlay Costs | \$5,368 | - |
| the law enforcement, public safety, and criminal justice information sharing grant program | \$413,246 | - |
| Centrally Appropriated Costs* | \$20,053 | - |
| Total Cost | \$500,000 | - |
| Total FTE | 0.7 FTE | - |

* Centrally appropriated costs are not included in the bill's appropriation.

Department of Public Safety. For FY 2019-20 only, the DPS requires 0.7 FTE to administer the grant program. This includes developing program rules and grant application guidelines, reviewing grant applications, monitoring the use of grant funds, and producing grant funding reports. This position will also provide training, monitor, and provide assistance to grant recipients to ensure they meet the grant requirements regarding records, federal compliance, and data collection and sharing. This fiscal note assumes spending authority and additional appropriations, if needed, will be requested through the annual budget process after FY 2019-20. Future year appropriations from the Marijuana Tax Cash Fund are not required, but may occur at the discretion of the General Assembly.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance, supplemental employee retirement payments, and indirect costs are estimated to be \$20,053 in FY 2019-20.

Local Government

Beginning in FY 2019-20, this bill increases revenue, costs, and workload in local law enforcement agencies that receive grant funding to gain access to the CISC. Costs and workload are increased to follow the grant reporting and records, federal compliance, and data collection and sharing requirements and for ongoing annual CISC maintenance.

Effective Date

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

State Appropriations

For FY 2019-20, this bill requires and includes an appropriation of \$500,000 from the Marijuana Tax Cash Fund to the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Cash Fund in the Department of Public Safety. An allocation of 0.7 FTE is also required.

State and Local Government Contacts

| | | |
|----------------|------------------------|----------|
| Counties | Information Technology | Law |
| Municipalities | Public Safety | Sheriffs |