



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1393

FISCAL NOTE

<b>Drafting Number:</b>	LLS 20-1056	<b>Date:</b>	May 26, 2020
<b>Prime Sponsors:</b>	Rep. Esgar; McCluskie Sen. Moreno; Zenzinger	<b>Bill Status:</b>	House Appropriations
		<b>Fiscal Analyst:</b>	Katie Ruedebusch   303-866-3001 Katie.Ruedebusch@state.co.us

Bill Topic: EXPAND MENTAL HEALTH DIVERSION PILOT PROGRAM

<b>Summary of Fiscal Impact:</b>	<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

**Budget package bill.** The bill expands the number of mental health pilot programs that divert individuals with mental health conditions to five or more judicial districts. The bill increases and decreases state and local workload on an ongoing basis.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** This fiscal note reflects the introduced bill, which was recommended by the Joint Budget Committee.

Summary of Legislation

Current law allows up to four judicial districts to administer mental health pilot programs (pilot program) that divert individuals with mental health conditions involved with the criminal justice system for low-level offenses into community treatment. The bill expands the pilot program to five or more judicial districts.

Background

Established by Senate Bill 18-249, the pilot program began operating in 2019 in the 6th (Archuleta, La Plata, San Juan), 8th (Jackson, Larimer), 16th (Bent, Crowley, Otero), and 20th (Boulder) Judicial Districts. However, the pilot program lacks the number of participants required to provide a valid assessment to the General Assembly on whether the pilot program should be renewed. Other judicial districts have expressed an interest in establishing a pilot program which would allow the number of participants to increase and a statistically valid review to be conducted.

State Expenditures

The bill increases workload for the Judicial Department to administer and oversee additional pilot programs. The bill may also decrease workload for the trial courts in judicial districts with new pilot programs if they process fewer criminal cases. This workload impact can be conducted within existing appropriations and no change in appropriations is required.

## **Local Government**

The bill increases district attorney workload to participate in the development of additional pilot programs. The bill may also decrease workload and costs for participating county jails due to fewer individuals being convicted and sentenced to a term of incarceration in county jail. The exact impact to any particular jurisdiction will depend on the amount of work required to develop the pilot program and the number of individuals who participate in it.

## **Effective Date**

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

## **State and Local Government Contacts**

Judicial                      District Attorneys