



**Legislative Council Staff**

*Nonpartisan Services for Colorado's Legislature*

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**Final Fiscal Note**

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**Drafting Number:** LLS 22-0005 **Date:** September 8, 2022  
**Prime Sponsors:** Sen. Danielson **Bill Status:** Signed into Law  
Rep. Duran; Herod **Fiscal Analyst:** Matt Bishop | 303-866-4796  
Matt.Bishop@state.co.us

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**Bill Topic:** **MISSING AND MURDERED INDIGENOUS RELATIVES**

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**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

The bill creates the Office of Liaison for Missing and Murdered Indigenous Relatives in the Department of Public Safety. It increases state expenditures on an ongoing basis beginning in FY 2022-23.

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**Appropriation Summary:** For FY 2022-23, the bill requires an appropriation of \$540,433, and includes an appropriation of \$497,250, to the Department of Public Safety.

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**Fiscal Note Status:** The fiscal note reflects the enacted bill.

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**Table 1**  
**State Fiscal Impacts Under SB 22-150**

	<b>Budget Year FY 2022-23</b>	<b>Out Year FY 2023-24</b>
<b>Revenue</b>	-	-
<b>Expenditures</b>		
General Fund	\$540,433	\$516,451
Centrally Appropriated	\$79,456	\$87,588
<b>Total Expenditures</b>	<b>\$619,889</b>	<b>\$604,039</b>
<b>Total FTE</b>	<b>4.5 FTE</b>	<b>5.0 FTE</b>
<b>Transfers</b>	-	-
<b>Other Budget Impacts</b>		
General Fund Reserve	\$81,065	\$77,468

## **Summary of Legislation**

The bill implements several policy interventions with respect to missing and murdered indigenous persons, including creating a new state office, an advisory board, and an alert program.

**New state office.** The bill directs the Department of Public Safety (CDPS) to facilitate technical assistance on investigations and cases involving missing and murdered indigenous victims, develop best practices protocol for law enforcement agencies, and develop best practices for data accuracy. The department also serves to facilitate communication and coordination with various stakeholders, including other divisions in CDPS and other state and local offices, tribal law enforcement agencies, indigenous-led community organizations, and federal agencies.

CDPS must make recommendations on potential legislative or agency action, and strengthening the trauma-informed and victim-centered response of law enforcement, courts, and healthcare systems.

CDPS must assist families, tribal agencies, and nongovernmental entities in using the National Missing and Unidentified Persons System administered by the federal Department of Justice, and provide guidance to families of indigenous victims on how to navigate state and federal court cases.

The bill establishes the Office of Liaison for Missing and Murdered Indigenous Relatives to serve as a liaison on behalf of indigenous communities and to support the advisory board, described below.

**Advisory board.** The bill establishes the Community Volunteer Advisory Board to advise the office. It must meet quarterly in FY 2022-23 and biannually in subsequent years. Board membership includes representatives from:

- indigenous-led organizations for victims of violence;
- community-based organizations supporting indigenous people;
- indigenous victims or their family members;
- tribes based in, or with historical ties to, Colorado;
- law enforcement agencies; and
- other state agencies, including the Attorney General's office, the Judicial Department, the Department of Human Services, or the Colorado Commission on Indian Affairs.

The Colorado Bureau of Investigation (CBI) must maintain a clearinghouse database on missing indigenous persons from Colorado, and the department must create a website dashboard that displays information regarding missing or murdered indigenous persons. CDPS must submit an annual report to the legislature and the Governor by December 31 of each year, containing a summary of its work during the year, information from the dashboard, and its recommendations for legislation, agency action, or the criminal justice system.

The bill directs the Peace Officer Standards and Training (POST) Board to work with the office to develop training for peace officers on issues relating to missing or murdered indigenous persons investigations, and requires the basic academy curriculum to be updated by January 1, 2023.

**Alert program.** The bill directs the CBI to notify the appropriate tribal entity when it receives a report of a missing or murdered indigenous person. When it receives a report of a missing indigenous person, it must issue an alert to designated media outlets. CBI must also operate a database on missing indigenous people from Colorado and publish an annual report.

CDPS must promulgate rules to specify the process for confirming information from local law enforcement agencies, the process for reporting information to the Federal Communications Commission, and other processes as necessary to implement the alert program. The department must include certain information on the program's use in its annual SMART Act hearing.

## State Revenue

The bill potentially increases state revenue from gifts, grants, or donations to carry out the duties assigned by the bill; however, no sources have been identified at this time. Gifts, grants, and donations are exempt from TABOR revenue limits.

## State Expenditures

The bill increases state expenditures in CDPS by about \$620,000 in FY 2022-23 and about \$604,000 in FY 2023-24 from the General Fund. In addition, it increases workload in the Department of Law and other state departments. Expenditures are shown in Table 2 and detailed below.

**Table 2**  
**Expenditures Under SB 22-150**

	FY 2022-23	FY 2023-24
<b>Department of Public Safety</b>		
Personal Services	\$383,049	\$417,871
Operating Expenses	\$5,050	\$5,050
Capital Outlay Costs	\$18,600	-
Travel Expenses	\$53,770	\$53,770
Agent Capital and Operating	\$79,964	\$39,760
Centrally Appropriated Costs <sup>1</sup>	\$79,456	\$87,588
<b>Total Cost</b>	<b>\$619,889</b>	<b>\$604,039</b>
<b>Total FTE</b>	<b>4.5 FTE</b>	<b>5.0 FTE</b>

<sup>1</sup> Centrally appropriated costs are not included in the bill's appropriation.

**Department of Public Safety.** Starting in FY 2022-23, the office requires 5.0 FTE to staff the new office including:

- a director to manage the office's activities and liaise with other agencies, organizations, and individuals;

- an analyst to collect data, maintain the office’s website, manage a clearinghouse database of missing indigenous persons, and facilitate the alert program;
- an administrative assistant to provide administrative support; and
- two criminal investigators to collaborate with local law enforcement and other stakeholders on investigations and trainings.

Standard operating and capital outlay costs are included. The fiscal note assumes a start date of July 1, 2022, and costs reflect the General Fund pay date shift.

The department requires additional funding for travel and equipping the criminal investigators. The investigators require fleet vehicles, mileage, and other travel-related costs. Vehicles are leased from the state fleet, which is managed by the Department of Personnel and Administration. The criminal investigators require additional equipment, which is provided in FY 2022-23 only. Annual expenses include training and overtime hours.

The CBI can accomplish the requirement to create a clearinghouse database on missing indigenous persons from Colorado and a related website within its existing information technology systems.

**Department of Law.** Workload will increase in the POST Board to develop new training for peace officers and to update the basic academy curriculum. This workload can be accomplished within existing POST Board training appropriations.

**Governor’s Office.** The Governor’s Office of Boards and Commissions will have a minimal workload increase to make the required appointment under the bill. This work can be accomplished within existing appropriations.

**Other state agencies.** Workload will increase for state agencies represented on the Community Volunteer Advisory Board. Any such workload is expected to be minimal.

**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 and supplemental employee retirement payments, are shown in Table 2.

## **Other Budget Impacts**

**General Fund reserve.** Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, which decreases the amount of General Fund available for other purposes.

## **Local Government**

Local government workload will increase for law enforcement agencies to liaise with the new state office on cases involving missing and murdered indigenous relatives. If in-service peace officer trainings are developed, costs will increase for local law enforcement agencies related to training, travel and per diems, and/or overtime coverage.

## **Effective Date**

This bill was signed into law by the Governor and took effect on June 8, 2022.

## **State Appropriations**

For FY 2022-23, the bill requires an appropriation of \$540,433, and includes an appropriation of \$497,250, to the Department of Public Safety from the General Fund, and 4.5 FTE. Of this, \$15,982 is reappropriated to the Department of Personnel and Administration.

## **State and Local Government Contacts**

County Coroners  
Information Technology  
Public Safety

Governor  
Judicial  
Sheriffs

Human Services  
Law