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Nonpartisan Services for Colorado's Legislature

# Revised Fiscal Note

(replaces fiscal note dated April 17, 2023)

<b>Drafting Number:</b>	LLS 23-0604	<b>Date:</b>	May 5, 2023
<b>Prime Sponsors:</b>	Rep. Sharbini; Garcia	<b>Bill Status:</b>	Senate Second Reading
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**Bill Topic:** DRUG CRIME COST TASK FORCE

**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 a task force and a study to evaluate costs associated with drug crime enforcement. It will increase state expenditures in FY 2023-24 only.

**Appropriation Summary:** For FY 2023-24, the bill requires and includes an appropriation of \$97,376 to multiple state agencies.

**Fiscal Note Status:** The revised fiscal note reflects the reengrossed bill, as amended by the House Judiciary Committee and the House Appropriations Committee.

**Table 1**  
**State Fiscal Impacts Under HB 23-1258**

		Budget Year FY 2023-24	Out Year FY 2024-25
<b>Revenue</b>		-	-
<b>Expenditures</b>	General Fund	\$97,376	-
<b>Transfers</b>		-	-
<b>Other Budget Impacts</b>	General Fund Reserve	\$14,606	-

## Summary of Legislation

The bill creates the Evaluating the Costs Associated with Enforcement of Drug Laws and Incarceration for Drug Crimes Task Force in the Department of Public Health and Environment (CDPHE). Its members are to be appointed by January 15, 2024, and it must meet at least two times between March 1, 2024, and May 1, 2024, to consider a study conducted by the University of Colorado on the cost associated with drug crime enforcement. Upon approval of two-thirds of task force members, the task force must make legislative recommendations regarding how money saved by a reduction in drug crimes or sentencing for drug crimes could be spent to reduce substance use and dependence in Colorado, and how to improve rehabilitation during supervision and incarceration for those convicted of a drug crime in a final report due June 1, 2024. Task force members must be reimbursed for expenses, and the CDPHE must provide the task force with staff assistance, meeting space, or audio-visual communication technology resources, as necessary, upon request.

The School of Public Health at the University of Colorado and the Department of Public Safety are required to conduct a financial study evaluating the costs associated with enforcement of drug laws and incarceration in the state, as detailed in the bill. The study must be provided to the task force by February 15, 2024.

## State Expenditures

The bill increases state General Fund expenditures in the University of Colorado, the Department of Public Health and Environment, and the Legislative Department by approximately \$97,000. Expenditures are shown in Table 2 and detailed below.

**Table 2**  
**Expenditures Under HB 23-1258**

	<b>FY 2023-24</b>	<b>FY 2024-25</b>
<b>University of Colorado</b>		
Staffing Costs	\$63,424	-
Administrative Costs	\$16,490	-
<b>CU Subtotal</b>	<b>\$79,914</b>	<b>-</b>
<b>Department of Public Health and Environment</b>		
Contract Facilitator and Report Writing	\$14,000	-
Meeting Venue	\$200	-
Travel Reimbursements	\$1,938	-
<b>CDPHE Subtotal</b>	<b>\$16,138</b>	<b>-</b>

**Table 2**  
**Expenditures Under HB 23-1258 (Cont.)**

<b>Legislative Department</b>		
Legislative Per Diem Reimbursements	\$1,324	-
<b>Legislative Subtotal</b>		
	<b>\$1,324</b>	<b>-</b>
<b>Total Cost</b>		<b>\$97,376</b>
		<b>-</b>

**University of Colorado School of Public Health.** The school will hire a part-time analyst, an investigator, and a research assistant to conduct the study at a cost of \$63,424. Administrative costs are estimated at \$16,490.

**Department of Public Health and Environment.** The CDPHE will have costs to contract with a meeting facilitator, who will also create the final report. Meeting facilitation is anticipated to cost \$4,000 per each of the two meetings, and report writing will cost \$6,000 assuming 40 hours at \$150 per hour. The meeting venue is expected to cost \$100 per meeting. Finally, travel reimbursements assume two members will require overnight travel to both meetings, which includes mileage, hotels, and meal reimbursement.

**Legislative Department.** The task force includes two legislative members, who are entitled to per diems and expense reimbursement. The per diem rate is \$112 and travel costs are calculated at \$219.

**Department of Public Safety.** The fiscal note assumes the Division of Criminal Justice will assist the University of Colorado with data relevant to the study within existing appropriations.

### **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. 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, decreasing the amount of General Fund available for other purposes.

### **Local Government**

Workload and reimbursement costs will increase for any local government with representation on the task force.

### **Effective Date**

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## State Appropriations

For FY 2023-24, the bill requires and includes the following General Fund appropriations:

- \$79,914 to the Department of Higher Education for allocation to the governing board for the University of Colorado;
- \$16,138 to the Department of Public Health and Environment; and
- \$1,324 to the Legislative Department.

## State and Local Government Contacts

District Attorneys  
Local Affairs

Legislative Council  
Public Health and Environment