



**Colorado
Legislative
Council
Staff**

Bill 11

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 18-0253
Prime Sponsor(s):

Date: October 17, 2017
Bill Status: County Courthouse and County Jail Funding and Overcrowding Solutions Interim Study Committee Bill Request

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BILL TOPIC: INCREASE SURCHARGE FOR COURT SECURITY CASH FUND

Fiscal Impact Summary	FY 2018-2019	FY 2019-2020
State Revenue	<u>\$1,800,000</u>	<u>\$2,000,000</u>
Cash Funds	1,800,000	2,000,000
State Expenditures	<u>\$1,800,000</u>	<u>\$2,000,000</u>
Cash Funds	1,800,000	2,000,000
Appropriation Required: \$1,800,000 - Judicial Department (FY 2018-19).		
Future Year Impacts: Ongoing expenditure and minimal workload increase.		

Summary of Legislation

This bill, requested by the *County Courthouse and County Jail Funding and Overcrowding Solutions Interim Study Committee*, increases the court security cash fund surcharge from \$5 to \$10 and allocates the new revenue to the county that collected the fee.

Background

The Court Security Cash Fund is funded by a \$5 surcharge on certain docket and filing fees. The fund supports the Court Security Commission, which solicits and evaluates court security grant applications. Awarded court security grants are paid to counties out of the Court Security Cash Fund and are used for court security equipment, training, and emergency security needs.

State Revenue

By doubling the current court security surcharge from \$5 to \$10, this bill doubles the amount of Court Security Cash Fund revenue that will be collected. Currently approximately \$2.0 million is collected each year from this surcharge. Assuming the number of cases and fee collection rates remain relatively unchanged, beginning in FY 2018-19, \$1.8 million in additional surcharge revenue will be collected. For FY 2018-19, this amount is prorated due to the effective date of the bill. Beginning in FY 2019-20, \$2.0 million in additional surcharge revenue will be collected per year. Increased revenue collected is passed directly to the county that generated the docket or filing fee.

Fee Impact. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. These fee amounts are estimates only, actual fee collections will be based on case filings and collection rates. The table below identifies the fee impact of this bill.

Table 1. Impact on Docket and Filing Fees					
Type of Fee	Current Fee	Proposed Fee	Fee Change	Number Affected	Total Fee Impact
Court Security Surcharge	\$5	\$10	\$5	400,000	\$2,000,000
TOTAL					\$2,000,000

State Expenditures

This bill increases Judicial Department cash fund expenditures by **\$1.8 million in FY 2018-19 and \$2.0 million per year beginning in FY 2019-20 to transmit court security surcharge funds to the appropriate county.** Workload is also increased by a minimal amount to update systems and processes to ensure that increased surcharge revenue is tracked and allocated to the county that collected the docket or filing fee. This workload can be addressed within existing appropriations and expenditures will be paid out of the Court Security Cash Fund.

Local Government Impact

This bill increases county revenue from the court security cash fund, which will increase the amount of money counties have to spend on court or probation office security. This increase will vary by county depending on the number case filings and collection rates. Estimated revenue by county is shown in Table 2. Overall, county revenue is expected to increase statewide by \$1.8 million in FY 2018-19 and \$2.0 million per year beginning in FY2019-20.

Table 2. County Court Security Cash Fund Revenue*		
County	FY 2018-19	FY 2019-20
Adams	216,900	241,000
Alamosa	8,100	9,000
Arapahoe	234,000	260,000
Archuleta	4,500	5,000
Baca	945	1,050
Bent	1,800	2,000
Boulder	79,200	88,000
Broomfield	17,100	19,000
Chaffee	5,400	6,000
Cheyenne	900	1,000
Clear Creek	8,100	9,000
Conejos	1,800	2,000
Costilla	2,700	3,000

Table 2. County Court Security Cash Fund Revenue*		
County	FY 2018-19	FY 2019-20
Crowley	900	1,000
Custer	1,800	2,000
Delta	11,700	13,000
Denver	81,900	91,000
Dolores	540	600
Douglas	94,500	105,000
Eagle	20,700	23,000
El Paso	225,000	250,000
Elbert	9,900	11,000
Fremont	13,500	15,000
Garfield	29,700	33,000
Gilpin	5,130	5,700
Grand	7,020	7,800
Gunnison	6,930	7,700
Hinsdale	315	350
Huerfano	4,590	5,100
Jackson	540	600
Jefferson	199,800	222,000
Kiowa	1,800	2,000
Kit Carson	2,700	3,000
La Plata	19,800	22,000
Lake	4,500	5,000
Larimer	102,600	114,000
Las Animas	9,000	10,000
Lincoln	3,600	4,000
Logan	10,800	12,000
Mesa	58,500	65,000
Mineral	1,710	1,900
Moffat	5,400	6,000
Montezuma	7,200	8,000
Montrose	15,300	17,000
Morgan	13,500	15,000
Otero	8,100	9,000
Ouray	1,800	2,000
Park	7,200	8,000
Phillips	900	1,000
Pitkin	5,400	6,000
Prowers	8,100	9,000
Pueblo	61,200	68,000
Rio Blanco	2,700	3,000
Rio Grande	3,600	4,000
Routt	9,000	10,000
Saguache	2,700	3,000

County	FY 2018-19	FY 2019-20
San Juan	180	200
San Miguel	2,700	3,000
Sedgwick	900	1,000
Summit	13,500	15,000
Teller	7,200	8,000
Washington	1,800	2,000
Weld	108,000	120,000
Yuma	2,700	3,000
Total	\$1,800,000	\$2,000,000

*Assumes current caseload and collection rates

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 09, 2018, as scheduled, and no referendum petition is filed.

State Appropriations

For FY 2018-19, this bill requires an appropriation of \$1.8 million from the Judicial Department to the Court Security Cash Fund.

State and Local Government Contacts

Counties Judicial