

CHAPTER 432

APPROPRIATIONS

HOUSE BILL 10-1298

BY REPRESENTATIVE(S) Pommer, Ferrandino, Lambert;
also SENATOR(S) Keller, Tapia, White.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part II of section 2 of chapter 464, Session Laws of Colorado 2009, is amended to read:

Section 2. **Appropriation.**

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART II
DEPARTMENT OF CORRECTIONS**

(1) MANAGEMENT

(A) Executive Director's Office Subprogram¹

Personal Services	1,591,421 1,571,133	1,381,363 1,364,344 (22.6 FTE)			210,058^a 206,789 ^a (4.0 FTE)
Health, Life, and Dental	36,421,943 36,092,498	35,221,730 34,892,285		1,200,213 ^b	
Short-term Disability	468,135 455,965	455,057 443,411		13,078^a 12,554 ^b	
S.B. 04-257 Amortization Equalization Disbursement	6,323,291 6,203,010	6,144,795 6,031,275		178,496^a 171,735 ^b	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	3,886,963 3,809,532	3,775,403 3,702,324		111,560^a 107,208 ^b	
Shift Differential	5,944,232	5,931,240		12,992 ^b	
Workers' Compensation	6,332,672	6,133,159		199,513^a	

	5,978,850	5,790,615	188,235 ^b		
Operating Expenses	314,533	191,455		47,478 ^a	75,600 ^c
Legal Services for 15,298 hours	1,234,909 ^d	1,192,522	42,387 ^b		
Payment to Risk Management and Property Funds	4,532,412	4,353,498	178,914 ^b		
Leased Space	3,652,058 3,630,975	3,441,853 3,420,770	210,205 ^c		
Capitol Complex Leased Space	188,753 184,665	109,014 106,094	79,739 78,571 ^c		
Planning and Analysis Contracts	56,160	56,160			
Payments to District Attorneys	144,108	144,108			
	<u>71,091,590</u>				
	70,152,982				

^a These amounts shall be from State Victims Assistance and Law Enforcement funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

^b Of these amounts, ~~\$1,700,820~~ \$1,680,701 shall be from sales revenues earned by Correctional Industries, and ~~\$236,333~~ \$233,537 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding.

^d Of this amount, \$1,153,163 shall be used to purchase 15,298 hours of legal services from the Department of Law, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

^e These amounts shall be from sales revenues earned by Correctional Industries.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(B) External Capacity Subprogram						
(1) Private Prison Monitoring Unit						
Personal Services	1,452,536 1,434,402	1,452,536 1,434,402				
		(21.5 FTE)				
Operating Expenses	<u>236,122</u> 1,688,658 1,670,524	236,122				
(2) Payments to House State Prisoners^{2,3}						
Payments to local jails at a rate of \$50.44 per inmate per day						
	8,427,112 8,900,288	8,427,112 8,900,288				
Payments to in-state private prisons at a rate of \$54.93 per inmate per day ^{3a}						
	94,594,525 87,531,859	92,235,818 83,482,237		2,358,707 4,049,622 ^a		

Payments to pre-release parole revocation facilities at a rate of \$54.93 per inmate per day ^{3a}	12,885,340 13,934,933	12,885,340 13,934,933
Community Corrections Programs	4,145,232 <u>3,908,919</u>	4,145,232 3,908,919
	120,052,209 114,275,999	

^a This amount shall be from reserves in the State Criminal Alien Assistance Program Cash Fund pursuant to Section 17-1-107.5, C.R.S.

(C) Inspector General Subprogram

Personal Services	3,800,462 3,871,588	3,800,462 3,770,880 (49.2 FTE)	100,708 ^d		
Operating Expenses	321,309 410,263	316,349 315,303	4,960 94,960 ^e		
Inspector General Grants	37,000 181,116			32,000 168,755 ^b (1.0 FTE)	5,000 12,361 ^c
	<u>4,158,771</u> 4,462,967				

^a ~~This~~ OF THIS amount \$90,000 SHALL BE FROM REVENUES EARNED FROM PRIVATE PRISON OUT OF STATE OFFENDER INVESTIGATIONS, AND \$4,960 shall be from the Offender Identification Fund created in Section 24-33.5-415.6 (1), C.R.S.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b Of this amount, ~~\$20,000~~ \$95,946 shall be from federal funds appropriated to the Office of Homeland Security in the Department of Governor - Lieutenant Governor - State Planning and Budgeting, and ~~\$12,000~~ \$72,809 shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

^c This amount shall be from drug enforcement forfeitures.

^d THIS AMOUNT SHALL BE FROM REVENUES EARNED FROM PRIVATE PRISON OUT OF STATE OFFENDER INVESTIGATIONS.

~~196,991,228~~
190,562,472

(2) INSTITUTIONS

(A) Utilities Subprogram

Energy Management Program	329,707 321,107	329,707 321,107 (3.0 FTE)	
Utilities	19,290,530 <u>19,272,518</u> 19,620,237 19,593,625	18,320,649 18,302,637	969,881 ^a

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services	18,040,277		
	17,478,339	17,478,339	
	(302.9 FTE)		
		(297.9 FTE)	
Operating Expenses	5,211,420		
	5,181,525	5,181,525	
Purchase of Services	1,111,424		
		1,111,424	
MAINTENANCE GRANTS	<u>47,465</u>		47,465 ^a
	24,363,121	24,363,121	
	23,818,753		

^a THIS AMOUNT SHALL BE FROM APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FROM THE RECYCLING AND RESOURCE ECONOMIC OPPORTUNITY FUND CREATED IN SECTION 25-16.5-106.5 (1), C.R.S.

(C) Housing and Security Subprogram

Personal Services	149,614,103^a		
	149,979,344 ^a	60,958,070	89,021,274
	(2,952.1 FTE)		
		(2,917.1 FTE)	
Operating Expenses	1,823,101		
	<u>1,766,392</u>	1,766,392	
	151,437,204	151,437,204	
	151,745,736		

Ch. 432

Appropriations

2257

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a In addition to the funding provided in this line, it is the intent of the General Assembly that the Department of Corrections utilize the \$2,403,613 General Fund appropriation contained in Sections 17-1-153 (1) (d) (II), 17-1-154 (1) (d), 17-1-155 (1) (d) (II), 17-1-156 (1) (d) (II), 17-1-157 (1) (d), 17-1-158 (1) (d) (II), 17-1-159 (1) (d), 17-1-160 (1) (d), 17-1-161 (1) (d), 17-1-164 (1) (c) (II), 17-1-165 (1) (c) (II), 17-18-101 (1) (b), 17-18-102 (1) (b), 17-18-103 (1) (b) (II), and 17-18-104 (1) (b) (II), C.R.S., for these purposes. Also, it is the intent of the General Assembly that the Department of Corrections utilize the \$2,947 anticipated cash fund revenue from Section 17-1-163 (1) (c) (II), C.R.S., for these purposes.

(D) Food Service Subprogram

Personal Services	14,520,862	14,520,862			
	14,378,840	14,378,840			
		(261.2 FTE)			
		(258.2 FTE)			
Operating Expenses	15,979,022	15,899,022			80,000 ^a
	15,865,643	15,785,643			
Purchase of Services	<u>859,098</u>	859,098			
	31,358,982				
	31,103,581				

^a This amount is anticipated to be received from the U.S. Department of Agriculture.

(E) Medical Services Subprogram

Personal Services	27,946,458	27,721,987	224,471*
	27,909,986	27,681,360	228,626*
		(436.3 FTE)	(3.0 FTE)
		(431.0 FTE)	
Operating Expenses	2,763,684	2,763,684	
Purchase of			
Pharmaceuticals	10,489,712	10,489,712	
	9,970,669	9,970,669	
Purchase of Medical			
Services from Other			
Medical Facilities	23,806,745	23,806,745	
	22,442,929	22,442,929	
Purchase of Medical			
Services from State			
Hospital	327,485	327,485	
	16,050	16,050	
Catastrophic Medical			
Expenses	11,229,812	11,229,812	
	8,012,349	8,012,349	
Service Contracts	2,401,631	2,401,631	
Indirect Cost Recoveries	<u>4,723</u>		4,723*
	78,970,250		
	73,522,021		

* These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113, C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(F) Laundry Subprogram						
Personal Services	2,161,659					
	(36.4 FTE)					
Operating Expenses	2,242,416					
	<u>2,227,262</u>					
	4,404,075	4,404,075				
	4,388,921	4,388,921				
(G) Superintendents Subprogram						
Personal Services	10,093,975					
	9,869,650					
	(168.2 FTE)					
Operating Expenses	3,243,499					
	3,172,340					
Dress Out	1,046,627					
	<u>1,079,827</u>					
	14,384,101	14,384,101				
	14,121,817	14,121,817				

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	7,440,781						
	7,255,425						
	(107.2 FTE)						
	(106.2 FTE)						
Operating Expenses	91,904						
Medical Contract Services	526,030						
	<u>8,058,715</u>		<u>8,058,715</u>				
	7,873,359		7,873,359				
(L) Inmate Pay							
Subprogram	1,493,325		1,493,325				
	1,457,845		1,457,845				
(M) San Carlos Subprogram							
Personal Services	12,483,934						
	(196.1 FTE)						
Operating Expenses	199,092						
Service Contracts	725,309						
	<u>13,408,335</u>		<u>13,408,335</u>				
(N) Legal Access Subprogram							

Personal Services	1,377,293	
	(21.5 FTE)	
Operating Expenses	299,602	
Contract Services	<u>70,905</u>	
	1,747,800	1,747,800

~~377,429,120~~
370,557,613

(3) SUPPORT SERVICES

(A) Business Operations Subprogram

Personal Services	6,242,879	5,793,753	448,241^a	885^b
	6,174,692	5,714,564	459,230 ^a	898 ^b
		(102.1 FTE)	(10.6 FTE)	
Operating Expenses	<u>236,047</u>	236,047		
	6,478,926			
	6,410,739			

^a Of this amount, ~~\$345,333~~ \$354,603 shall be from sales revenues earned by Correctional Industries, ~~\$62,830~~ \$64,549 shall be from sales revenues earned by the Canteen Operation, \$38,492 shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S, and \$1,586 shall be from various sources. For informational purposes, ~~\$409,504~~ \$420,493 shall be for department-wide indirect cost recoveries, and \$38,737 shall be for statewide indirect cost recoveries.

^b This amount shall be from federal grants transferred from the Education Subprogram in the Department of Corrections for statewide indirect cost recoveries.

(B) Personnel Subprogram

Personal Services	1,208,380
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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	1,177,020						
	(18.7 FTE)						
Operating Expenses	<u>93,431</u>						
	1,301,811		1,301,811				
	1,270,451		1,270,451				
(C) Offender Services Subprogram							
Personal Services	2,687,565						
	2,656,188						
	(41.9 FTE)						
Operating Expenses	<u>52,544</u>						
	2,740,109		2,740,109				
	2,708,732		2,708,732				
(D) Communications Subprogram							
Personal Services	630,366		630,366				
	611,671		611,671				
			(8.2 FTE)				
Operating Expenses	<u>1,542,125</u>		1,542,125				
	1,523,300		1,523,300				

Multiuse Network			
Payments	1,242,017	1,174,948	67,069 ^a
Dispatch Services	230,270	230,270	
Communication Services			
Payments	<u>1,687,070</u>	1,687,070	
	5,331,848		
	5,294,328		

^a This amount shall be from sales revenues earned by Correctional Industries.

(E) Transportation Subprogram

Personal Services	1,926,268	1,926,268	
	1,971,442	1,971,442	
		(36.1 FTE)	
Operating Expenses	298,121	298,121	
Vehicle Lease Payments	2,586,001	2,500,110	85,891 ^a
	<u>2,511,757</u>	2,428,331	83,426 ^a
	4,810,390		
	4,781,320		

^a Of this amount, ~~\$75,412~~ \$73,248 shall be from sales revenues earned by Correctional Industries, and ~~\$10,479~~ \$10,178 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

Personal Services	1,997,161
	1,972,441

Ch. 432

Appropriations

2265

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(27.3 FTE)						
Operating Expenses	280,177						
	278,829						
	<u>2,277,338</u>		<u>2,277,338</u>				
	2,251,270		2,251,270				
(G) Information Systems Subprogram							
Personal Services	3,858,800						
	3,822,765						
	(50.6 FTE)						
Operating Expenses	1,401,578						
	1,393,211						
Purchase of Services from Computer Center	202,327						
	194,860						
Management and Administration of OIT	149,175						
	128,028						
	<u>5,611,880</u>		<u>5,611,880</u>				
	5,538,864		5,538,864				

(H) Facility Services Subprogram

Personal Services	992,216		
	965,922		
	(12.0 FTE)		
Operating Expenses	<u>83,096</u>		
	1,075,312	1,075,312	
	1,049,018	1,049,018	
	29,627,614		
	29,304,722		

(4) INMATE PROGRAMS

(A) Labor Subprogram

Personal Services	5,415,170		
	5,405,608		
	(95.3 FTE)		
Operating Expenses	91,420		
	<u>90,315</u>		
	5,506,590	5,506,590	
	5,495,923	5,495,923	

(B) Education Subprogram

Personal Services	16,570,865	15,687,276	883,589*
	14,343,938	10,943,993	3,399,945*
		(284.1 FTE)	

Ch. 432

Appropriations

2267

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
			(248.3 FTE)				
Operating Expenses	2,623,514 2,526,766		115,000 18,252		1,897,499 ^a	611,015 ^b	
Contract Services	73,276		73,276				
Education Grants	612,047 861,755				10,000 ^c	233,038 ^a 295,713 ^d (2.0 FTE)	369,009 556,042
Start-up Costs	844,864		844,864				
Indirect Cost Recoveries	898						898
	<u>20,725,464</u> 17,806,633						

^a Of these amounts, ~~\$1,351,516~~ \$3,867,872 shall be from sales revenues earned by the Canteen Operation, and \$1,429,572 shall be from sales revenues earned by vocational programs.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

^c This amount shall be from gifts, grants, and donations.

^d Of this amount, ~~\$208,038~~ \$283,001 shall be from federal funds appropriated to the Department of Education, and ~~\$25,000~~ \$12,712 shall be from federal funds appropriated to the Department of Public Health and Environment.

(C) Recreation Subprogram

Personal Services	6,308,620		6,308,620				
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(116.7 FTE)

Operating Expenses	75,449		75,449
	<u>74,486</u>		74,486 ^a
	6,384,069		
	6,383,106		

^a This amount shall be from sales revenues earned by the Canteen Operation.

(D) Drug and Alcohol Treatment Subprogram

Personal Services	4,829,167	4,829,167		
	4,709,815	4,709,815		
		(99.9 FTE)		
Operating Expenses	117,580	117,580		
Drug Offender Surcharge Program	995,127		995,127 ^a	
Contract Services	2,314,236	2,064,236	250,000 ^a	
	2,298,514	2,048,514		
Treatment Grants	40,000			40,000
	171,039		71,039 ^b	100,000
Start-up Costs	<u>265,586</u>	265,586		
	8,561,696			
	8,557,661			

^a ~~This amount~~ THESE AMOUNTS shall be from the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

^b THIS AMOUNT SHALL BE FROM GRANT FUNDS APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(E) Sex Offender Treatment Subprogram							
Personal Services	2,730,515		2,702,228		28,287^a		
	2,608,193		2,579,382		28,811 ^a		
			(48.1 FTE)		(1.0 FTE)		
Operating Expenses	84,776		84,276		500 ^a		
Polygraph Testing	<u>99,569</u>		<u>99,569</u>				
	2,914,860						
	2,792,538						

^a These amounts shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

(F) Volunteers Subprogram

Personal Services	563,802						
	550,503						
	(9.0 FTE)						
Operating Expenses	<u>17,912</u>						
	581,714				581,714^a		
	568,415				568,415 ^a		

^a This amount shall be from sales revenues earned by the Canteen Operation.

44,674,393
41,604,276

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services	10,797,199		
	10,567,471	10,567,471	
	(181.6 FTE)		
		(179.7 FTE)	
Operating Expenses	1,121,239		
	1,114,206	1,114,206	
Administrative Law Judge Services	3,841		
		3,841	
Contract Services	889,082		
	1,447,278	1,372,278	75,000 ^a
Wrap-Around Services Program	1,800,000		
PAROLE GRANTS	<u>36,439</u>		36,439 ^b
	14,611,361	14,611,361	
	13,169,235		

^a THIS AMOUNT SHALL BE FROM FUNDS APPROPRIATED TO THE JUDICIAL BRANCH FOR DAY REPORTING SERVICES.

^b THIS AMOUNT SHALL BE FROM FEDERAL FUNDS APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

(B) Parole Intensive Supervision Subprogram

Personal Services ~~5,207,933~~

Ch. 432

Appropriations

2271

(D) Community Supervision Subprogram

(1) Community Supervision

Personal Services	3,045,123	3,045,123	
	3,017,215	3,017,215	
		(50.3 FTE)	
Operating Expenses	180,697	180,697	
Community Mental Health Services	584,496	584,496	
	577,788	577,788	
Psychotropic Medication	131,400	131,400	
	282,953	282,953	
Contract Services for High Risk Offenders	310,944	310,944	
Contract Services for Fugitive Returns	<u>74,524</u>	42,049	32,475 ^a
	4,327,184		
	4,444,121		

^a This amount shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

(2) Youthful Offender System Aftercare

Personal Services	646,486
	628,308
	(9.5 FTE)
Operating Expenses	141,067
Contract Services	<u>1,062,396</u>

Ch. 432

Appropriations

2273

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	1,849,949		1,849,949				
	1,831,771		1,831,771				
(E) Community Re-entry Subprogram							
Personal Services	2,002,896		2,002,896				
	1,961,540		1,961,540				
			(38.0 FTE)				
Operating Expenses	121,954		121,954				
Offender Emergency Assistance	96,768		96,768				
Contract Services	190,000		190,000				
Offender Re-employment Center	374,000		364,000		10,000 ^a		
Community Reintegration Grants	25,000						25,000
	125,795				25,795 ^b		100,000
							(1.0 FTE)
	<u>2,810,618</u>						
	2,870,057						

^a This amount shall be from gifts, grants, and donations.

^b THIS AMOUNT SHALL BE FROM GRANT FUNDS FROM THE JUSTICE, EQUALITY, HUMAN DIGNITY AND TOLERANCE FOUNDATION.

~~40,094,650~~
38,606,339

(6) PAROLE BOARD

Personal Services	1,375,696		
	1,374,215		
	(17.5 FTE)		
Operating Expenses	106,890		
	228,950		
Contract Services	<u>152,000</u>		
	1,634,586	1,634,586	
	1,755,165	1,755,165	

(7) CORRECTIONAL INDUSTRIES

Personal Services	10,135,091	2,987,196^a	7,147,895^b
	10,040,248	2,961,894 ^a	7,078,354 ^b
		(45.0 FTE)^a	(118.0 FTE)^b
		(45.0 FTE)	(118.0 FTE)
Operating Expenses	5,928,190	1,817,327 ^a	4,110,863 ^b
Raw Materials	35,228,799	8,441,080 ^a	26,787,719 ^b
Inmate Pay	1,649,702	468,453 ^a	1,181,249 ^b
Capital Outlay	1,406,200	337,094 ^a	1,069,106 ^b
Indirect Cost Assessment	<u>354,981</u>	71,447 ^a	283,534 ^b
	54,702,963		

Ch. 432

Appropriations

2275

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	54,608,120					

^a Of this amount, ~~\$13,972,597~~ \$13,947,295 is estimated to be from sales to non-state entities, and \$150,000 is estimated to be from the Land Improvement Fund.

^b Of this amount, ~~\$35,379,448~~ \$35,309,907 is estimated to be from sales to other state agencies, and \$5,200,918 is estimated to be from the Department of Revenue for the purchase of license plates.

(8) CANTEEN OPERATION

Personal Services	1,764,389				
	1,753,545				
	(29.7 FTE)				
Operating Expenses	12,851,987				
Inmate Pay	40,386				
Indirect Cost Assessment	<u>64,171</u>				
	14,720,933			14,720,933^a	
	14,710,089			14,710,089 ^a	

^a This amount shall be from sales revenues earned by the Canteen Operation.

**TOTALS PART II
(CORRECTIONS)**

\$759,875,487	\$677,565,930		\$39,966,735	\$41,747,315	\$595,507
<u>\$741,708,796</u>	<u>\$565,329,509</u>		<u>\$44,329,221</u>	<u>\$42,103,891</u>	<u>\$89,946,175</u>

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 1 Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division; and Division of Youth Corrections; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice; and Colorado Bureau of Investigation -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Offender Identification Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Program Fund, among other programs.
- 2 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- It is the intent of the General Assembly that the Department of Corrections be authorized to transfer 5.0 percent of the total appropriation for external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community corrections providers.
- 3 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- It is the intent of the General Assembly that the appropriations made for payments to private facilities housing state inmates be used exclusively for the purpose of per diem payments. It is the intent of the General Assembly that the department not withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities. It is the intent of the General Assembly that appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities.
- 3a Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to in-state private prisons at a rate of \$54.93 per inmate per day, and Payments to pre-release parole revocation facilities at a rate of \$54.93 per inmate per day -- Due to current fiscal restraints, it is the intent of the General Assembly not to fund any supplemental requests from the Department of Corrections that are requested as a result of the Department of Corrections paying a higher per diem rate to private prisons than \$52.69. If caseload changes would result in a negative supplemental from the Department of Corrections given a private prison per diem rate of \$52.69, it is further the intent of the General Assembly to reduce the appropriation to the Department of Corrections accordingly.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 2. Part II (2) (C), (2) (D), (2) (E), and the affected totals of section 2 of chapter 474, Session Laws of Colorado 2008, as the said Part II and the affected totals are amended by section 1 of chapter 443 and as Part II (2) (E) and the affected totals are further amended by section 11 of chapter 464, Session Laws of Colorado 2009, are amended to read:

Section 2. **Appropriation.**

**PART II
DEPARTMENT OF CORRECTIONS**

(2) INSTITUTIONS

(C) Housing and Security Subprogram

Personal Services	150,391,533 ^a			
		125,791,533		24,600,000
	(2,995.7 FTE)			
		(2,995.7 FTE)		
Operating Expenses	1,820,166			
		1,820,166		
Start-up Costs	4,105			
		4,105		
	<u>152,215,804</u>	<u>152,215,804</u>		

^a In addition to the funding provided in this line, it is the intent of the General Assembly that the Department of Corrections utilize the \$1,549,754 General Fund appropriation contained in Sections 17-1-151 (1) (e), 17-1-152 (1) (d) (II), 17-1-153 (1) (c) (II), 17-1-154 (1) (c), 17-1-155 (1) (c) (II), 17-1-156 (1) (c) (II), 17-1-157 (1) (c) (II), 17-1-158 (1) (c) (II), 17-1-159 (1) (c), 17-1-160 (1) (c) (II), 17-1-161 (1) (c), 17-1-162 (1) (c), 17-1-164 (1) (b) (II), 17-1-165 (1) (b) (II), C.R.S., for these purposes. Also, it is the intent of the General Assembly that the Department of Corrections utilize the \$5,000 anticipated revenue from Section 17-1-163 (1) (b) (II), C.R.S., for these purposes.

(D) Food Service Subprogram

Personal Services	14,462,948	14,462,948	
		(265.2 FTE)	
Operating Expenses	16,116,662	16,036,662	80,000 ^a
	16,590,260	16,510,260	
Purchase of Services	<u>859,098</u>	859,098	
	31,438,708		
	31,912,306		

^a This amount is anticipated to be received from the U.S. Department of Agriculture.

(E) Medical Services Subprogram

Personal Services	27,202,489	26,973,863	228,626 ^a
		(438.0 FTE)	(3.0 FTE)
Operating Expenses	2,763,684	2,763,684	
Purchase of Pharmaceuticals	10,550,434	10,550,434	
Purchase of Medical Services from Other Medical Facilities	22,728,316	22,728,316	

Ch. 432

Appropriations

2279

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
Purchase of Medical Services from State Hospital	968,466		968,466			
Catastrophic Medical Expenses	11,069,906		11,069,906			
	10,596,308		10,596,308			
Service Contracts	2,401,631		2,401,631			
Indirect Cost Recoveries	<u>6,053</u>				6,053 ^a	
	77,690,979					
	77,217,381					

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113, C.R.S.

376,353,002

**TOTALS PART II
(CORRECTIONS)**

\$751,820,114	\$665,134,889		\$43,095,169	\$42,294,502	\$1,295,554
<u> </u>	<u>\$640,534,889</u>	<u> </u>	<u> </u>	<u> </u>	<u>\$25,895,554</u>

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 10, 2010