

CHAPTER 315

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**APPROPRIATIONS**

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**SENATE BILL 11-136**

BY SENATOR(S) Hodge, Steadman, Lambert;  
also REPRESENTATIVE(S) Gerou, Becker, Ferrandino, Kagan.

**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.** The appropriation to the department of corrections for the fiscal year beginning July 1, 2010, as enacted in Part II of section 2 of chapter 453, Session Laws of Colorado 2010 (HB 10-1376), is amended to read:

Section 2. **Appropriation.**

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

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>PART II</b>						
<b>DEPARTMENT OF CORRECTIONS</b>						
<b>(I) MANAGEMENT</b>						
<b>(A) Executive Director's Office Subprogram<sup>1</sup></b>						
Personal Services	<del>1,584,334</del> 1,460,625	<del>1,375,926</del> 1,252,217			208,408 <sup>a</sup>	
		<del>(22.6 FTE)</del> (20.7 FTE)			(4.0 FTE)	
Health, Life, and Dental	36,136,950	35,048,806		1,088,144 <sup>b</sup>		
Short-term Disability	513,015	498,268		14,747 <sup>b</sup>		
S.B. 04-257 Amortization						
Equalization Disbursement	7,646,842	7,418,488		228,354 <sup>b</sup>		
S.B. 06-235 Supplemental						
Amortization Equalization						
Disbursement	5,523,303	5,356,795		166,508 <sup>b</sup>		
Shift Differential	6,164,005	6,155,996		8,009 <sup>b</sup>		
Workers' Compensation	6,065,207	5,871,120		194,087 <sup>b</sup>		
Operating Expenses	<del>304,960</del> 294,282	<del>181,882</del> 171,204			47,478 <sup>a</sup>	75,600 <sup>c</sup>
Legal Services for 15,298 hours	1,204,160 <sup>d</sup>	1,163,219		40,941 <sup>b</sup>		

Payment to Risk Management and Property Funds	1,299,105	1,247,141	51,964 <sup>b</sup>
Leased Space	<del>3,559,108</del>	<del>3,348,903</del>	210,205 <sup>c</sup>
	3,438,758	3,228,553	
Capitol Complex Leased Space	166,586	92,481	74,105 <sup>c</sup>
Planning and Analysis Contracts	56,160	56,160	
Payments to District Attorneys	<u>144,108</u>	144,108	
	<del>70,367,843</del>		
	70,113,106		

<sup>a</sup> 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.

<sup>b</sup> Of these amounts, \$1,574,038 shall be from sales revenues earned by Correctional Industries, and \$218,716 shall be from sales revenues earned by the Canteen Operation.

<sup>c</sup> This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding.

<sup>d</sup> Of this amount, \$1,122,414 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.

<sup>e</sup> These amounts shall be from sales revenues earned by Correctional Industries.

**(B) External Capacity Subprogram**

(1) Private Prison Monitoring Unit

Personal Services	<del>1,368,199</del>	<del>1,368,199</del>	
	1,354,517	1,354,517	
		(20.5 FTE)	
Operating Expenses	<u>224,316</u>	224,316	
	<del>1,592,515</del>		
	1,578,833		

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(2) Payments to House State Prisoners <sup>2,3,4</sup>						
Payments to local jails at a rate of \$50.44 per inmate per day	<del>8,149,692</del> 12,631,687	<del>8,149,692</del> 12,631,687				
Payments to in-state private prisons at a rate of \$54.93 per inmate per day <sup>1</sup>	<del>70,221,385</del> 82,195,504	<del>67,862,678</del> 79,111,511		<del>2,358,707*</del> 3,083,993 <sup>2</sup>		
Payments to pre-release parole revocation facilities at a rate of \$54.93 per inmate per day <sup>1</sup>	<del>12,985,082</del> 13,443,826	<del>12,985,082</del> 13,443,826				
Community Corrections Programs	<del>4,193,062</del> 4,095,413	<del>4,193,062</del> 4,095,413				
	<u>95,549,221</u> 112,366,430					

<sup>1</sup> 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	<del>3,884,927</del> 3,847,776	<del>3,781,964</del> 3,744,813 (49.2 FTE)	102,963 <sup>a</sup>		
Operating Expenses	<del>370,247</del> 370,154	<del>287,060</del> 286,967	83,187 <sup>a</sup>		
Inspector General Grants	<del>84,551</del> 174,993			<del>84,551</del> <sup>b</sup> 154,993 <sup>b</sup> (1.0 FTE)	20,000 <sup>c</sup>
	<hr/> <del>4,339,725</del> 4,392,923				

<sup>a</sup> These amounts shall be from revenues earned from private prison out of state offender investigations.

<sup>b</sup> Of this amount, ~~\$80,000~~ shall be from federal funds appropriated to the Office of Homeland Security in the Department of Governor - Lieutenant Governor - State Planning and Budgeting, and ~~\$4,551~~ \$84,993 shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety- SAFETY, AND \$70,000 SHALL BE FROM FEDERAL FUNDS APPROPRIATED TO THE OFFICE OF HOMELAND SECURITY IN THE DEPARTMENT OF GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING.

<sup>c</sup> THIS AMOUNT SHALL BE FROM FEDERAL EQUITABLE FORFEITURE SHARING.

~~171,849,304~~  
188,451,292

**(2) INSTITUTIONS**

**(A) Utilities Subprogram**

Energy Management Program	<del>323,446</del> 320,212	<del>323,446</del> 320,212 (3.0 FTE)			
Utilities	<del>19,987,736</del>	<del>19,017,855</del>	969,881 <sup>a</sup>		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
			18,667,855			
<u>19,637,736</u>						
<del>20,311,182</del>						
19,957,948						

<sup>a</sup> This amount shall be from sales revenues earned by Correctional Industries.

**(B) Maintenance Subprogram**

Personal Services	<del>18,842,618</del>					
	18,672,803		18,672,803			
	<del>(320.3 FTE)</del>					
			(320.3 FTE)			
Operating Expenses	<del>5,434,237</del>					
	5,084,237		5,084,237			
Purchase of Services	1,111,424					
			1,111,424			
MAINTENANCE GRANTS	262,396				262,396 <sup>a</sup>	
START-UP COSTS	<u>117,000</u>		117,000			
	<del>25,388,279</del>		<del>25,388,279</del>			
	25,247,860					

<sup>a</sup> OF THIS AMOUNT, \$195,048 SHALL BE FROM FUNDS APPROPRIATED TO THE STATE HISTORICAL SOCIETY IN THE DEPARTMENT OF HIGHER EDUCATION, AND \$67,348 SHALL BE FROM FEDERAL FUNDS APPROPRIATED TO THE GOVERNOR'S ENERGY OFFICE IN THE DEPARTMENT OF GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING.

**(C) Housing and Security Subprogram**

Personal Services	<del>155,646,621</del> 155,367,368 <sup>a</sup> (3,116.7 FTE)	
Operating Expenses	<u>1,947,883</u> <del>157,594,504</del> 157,315,251	<del>157,594,504</del> 157,315,251

<sup>a</sup> In addition to the funding provided in this line, it is the intent of the General Assembly that the Department of Corrections utilize the \$2,959,495 General Fund appropriation contained in Sections 17-1-153 (1) (e) (II), 17-1-154 (1) (e), 17-1-155 (1) (e) (II), 17-1-156 (1) (e) (II), 17-1-157 (1) (e), 17-1-158 (1) (e) (II), 17-1-159 (1) (e), 17-1-160 (1) (e) (II), 17-1-161 (1) (e), 17-1-164 (1) (d) (II), 17-1-165 (1) (d), 17-18-101 (1) (c) (II), 17-18-102 (1) (c), 17-18-103 (1) (c) (II), and 17-18-104 (1) (c), 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 revenue from Section 17-1-163 (1) (d) (II), C.R.S., for these purposes.

**(D) Food Service Subprogram**

Personal Services	<del>15,277,549</del> 15,130,076	<del>15,277,549</del> 15,130,076 (277.7 FTE)	
Operating Expenses	<del>16,147,556</del> 15,960,530	<del>16,067,556</del> 15,880,530	80,000 <sup>a</sup>
Purchase of Services	<u>859,098</u> <del>32,284,203</del> 31,949,704	859,098	

<sup>a</sup> This amount is anticipated to be received from the U.S. Department of Agriculture.

**(E) Medical Services Subprogram**

Personal Services	<del>28,098,042</del> 27,943,919	<del>27,869,416</del> 27,715,293	228,626 <sup>a</sup>
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
			(441.0 FTE)		(3.0 FTE)		
Operating Expenses	<del>2,696,235</del>		<del>2,696,235</del>				
	2,699,418		2,699,418				
Purchase of Pharmaceuticals	<del>9,770,658</del>		<del>9,770,658</del>				
	10,430,426		10,430,426				
Purchase of Medical Services from Other Medical Facilities	<del>20,895,050</del>		<del>20,895,050</del>				
	20,546,127		20,546,127				
Catastrophic Medical Expenses	<del>7,906,222</del>		<del>7,906,222</del>				
	11,992,258		11,992,258				
Service Contracts	2,469,255		2,469,255				
Indirect Cost Recoveries	<u>39,695</u>				39,695*		
	71,875,157						
	76,121,098						

\* These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113, C.R.S. FOR INFORMATIONAL PURPOSES, \$39,695 SHALL BE FOR STATEWIDE INDIRECT COST RECOVERIES.

**(F) Laundry Subprogram**

Personal Services	<del>2,327,269</del>
	2,303,996



	(40.1 FTE)	
Operating Expenses	<del>2,205,612</del>	
	<u>2,206,761</u>	
	<del>4,532,881</del>	<del>4,532,881</del>
	4,510,757	4,510,757

**(G) Superintendents Subprogram**

Personal Services	<del>10,090,650</del>	
	9,989,743	
	(169.1 FTE)	
Operating Expenses	3,364,781	
Dress Out	<del>969,027</del>	
	719,027	
Start-up Costs	<u>580,620</u>	
	<del>15,005,078</del>	<del>15,005,078</del>
	14,654,171	14,654,171

**(H) Boot Camp Subprogram**

Personal Services	144,307	144,307
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**(I) Youthful Offender System Subprogram**

Personal Services	<del>9,872,515</del>	
	9,825,658	
	(171.9 FTE)	
Operating Expenses	197,672	
Contract Services	28,820	
Purchase of Services	<u>624,589</u>	
	<del>10,723,596</del>	<del>10,723,596</del>
	10,676,739	10,676,739

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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(J) Case Management Subprogram</b>							
Personal Services	<del>15,604,701</del>						
	15,448,654						
	(234.2 FTE)						
Operating Expenses	<u>160,578</u>						
	<del>15,765,279</del>		<del>15,765,279</del>				
	15,609,232		15,609,232				
<b>(K) Mental Health Subprogram<sup>4a, 4b, 4c</sup></b>							
Personal Services	<del>9,038,796</del>						
	8,544,034		8,544,034				
	(138.2 FTE)						
			(134.2 FTE)				
Operating Expenses	266,162						
			266,162				
Medical Contract Services	560,790						
			560,790				
MENTAL HEALTH GRANTS	<u>300,000</u>					300,000 <sup>a</sup>	
	<del>9,865,748</del>		<del>9,865,748</del>				
	9,670,986						

<sup>a</sup> THIS AMOUNT SHALL BE FROM FEDERAL FUNDS APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

<b>(L) Inmate Pay</b>				
<b>Subprogram</b>	1,527,421		1,527,421	

<b>(M) San Carlos Subprogram</b>				
Personal Services	<del>12,403,727</del>			
	12,352,828			
	(195.1 FTE)			
Operating Expenses	199,092			
Service Contracts	<u>725,309</u>			
	<del>13,328,128</del>		<del>13,328,128</del>	
	13,277,229		13,277,229	

<b>(N) Legal Access Subprogram</b>				
Personal Services	<del>1,373,200</del>			
	1,359,468			
	(21.5 FTE)			
Operating Expenses	284,622			
Contract Services	<u>70,905</u>			
	<del>1,728,727</del>		<del>1,728,727</del>	
	1,714,995		1,714,995	

	<del>380,074,490</del>			
	382,377,698			

**(3) SUPPORT SERVICES**

<b>(A) Business Operations Subprogram</b>				
Personal Services	<del>6,224,695</del>	<del>5,792,685</del>	428,939 <sup>a</sup>	3,071 <sup>b</sup>
	6,106,236	5,674,226		
		<del>(102.1 FTE)</del>	(10.6 FTE)	
		(101.1 FTE)		

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	<del>224,245</del>		<del>224,245</del>				
	<u>218,625</u>		218,625				
	<del>6,448,940</del>						
	6,324,861						

<sup>a</sup> Of this amount, \$330,462 shall be from sales revenues earned by Correctional Industries, \$60,124 shall be from sales revenues earned by the Canteen Operation, \$36,835 shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S., and \$1,518 shall be from various sources. For informational purposes, ~~\$391,870~~ \$390,854 shall be for department-wide indirect cost recoveries, and ~~\$37,069~~ \$38,085 shall be for statewide indirect cost recoveries.

<sup>b</sup> 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	<del>1,233,363</del>		
	1,221,029		
	(19.6 FTE)		
Operating Expenses	89,259		
Start-up Costs	<u>4,795</u>		
	<del>1,327,417</del>	<del>1,327,417</del>	
	1,315,083	1,315,083	

**(C) Offender Services Subprogram**

Personal Services	<del>2,923,482</del>	
	2,894,247	
	(47.9 FTE)	
Operating Expenses	<u>55,332</u>	

	<u>2,978,814</u>	<u>2,978,814</u>	
	2,949,579	2,949,579	

**(D) Communications Subprogram**

Operating Expenses	1,538,605	1,538,605	
Multiuse Network			
Payments	2,338,576	2,268,419	70,157 <sup>a</sup>
Dispatch Services	230,270	230,270	
Communication Services			
Payments	<u>1,624,537</u>	1,624,537	
	5,731,988		

<sup>a</sup> This amount shall be from sales revenues earned by Correctional Industries.

**(E) Transportation Subprogram**

Personal Services	<u>1,917,942</u>	<u>1,917,942</u>	
	1,914,559	1,914,559	
		(36.1 FTE)	
Operating Expenses	277,550	277,550	
Vehicle Lease Payments	<u>2,807,760</u>	<u>2,712,296</u>	95,464 <sup>a</sup>
	<u>2,661,531</u>	2,389,884	271,647 <sup>a</sup>
	<del>5,003,252</del>		
	4,853,640		

<sup>a</sup> Of this amount, ~~\$83,817~~ \$260,000 shall be from sales revenues earned by Correctional Industries, and \$11,647 shall be from sales revenues earned by the Canteen Operation.

**(F) Training Subprogram**

Personal Services	<u>1,989,218</u>	
	1,969,326	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	(27.3 FTE) <del>270,526</del> 270,433						
	<u>2,259,744</u>		<u>2,259,744</u>				
	2,239,759		2,239,759				
<b>(G) Information Systems Subprogram</b>							
Operating Expenses	<del>1,562,567</del> 1,565,322						
Purchase of Services from Computer Center	<del>4,427,528</del> 4,596,322						
Management and Administration of OIT	434,410						
Start-up Costs	<del>14,385</del> 27,928						
	<u>6,438,890</u>		<u>6,438,890</u>				
	6,623,982		6,623,982				
<b>(H) Facility Services Subprogram</b>							
Personal Services	973,072						
	963,341						
Operating Expenses	(12.0 FTE) <u>78,941</u>						

1,052,013	1,052,013
1,042,282	1,042,282

31,241,058  
31,081,174

**(4) INMATE PROGRAMS**

**(A) Labor Subprogram**

Personal Services	<del>5,392,309</del>	
	5,341,466	
	(95.3 FTE)	
Operating Expenses	<u>91,420</u>	
	<del>5,483,729</del>	<del>5,483,729</del>
	5,432,886	5,432,886

**(B) Education Subprogram**

Personal Services	<del>14,730,521</del>	<del>13,830,576</del>	<del>899,945<sup>e</sup></del>	
	14,592,215	10,390,503	4,201,712 <sup>a</sup>	
		(253.9 FTE)		
Operating Expenses	2,491,472		1,880,457 <sup>a</sup>	611,015 <sup>b</sup>
Contract Services	73,276	73,276		
Education Grants	<del>233,000</del>		10,000 <sup>c</sup>	<del>223,000<sup>a</sup></del>
	539,382			279,561 <sup>d</sup>
				(2.0 FTE)
Indirect Cost Recoveries	479			<del>479</del>
	<u>17,528,748</u>			479 <sup>f</sup>
	17,696,824			

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

<sup>a</sup> Of these amounts, \$1,429,219 shall be from sales revenues earned by vocational programs, and ~~\$1,351,183~~ \$4,652,950 shall be from sales revenues earned by the Canteen Operation.

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

<sup>c</sup> This amount shall be from gifts, grants, and donations.

<sup>d</sup> ~~This amount~~ OF THIS AMOUNT, \$229,561 shall be from federal funds appropriated to the Department of Education. EDUCATION, \$30,000 SHALL BE FROM FEDERAL FUNDS APPROPRIATED TO THE COLORADO COMMUNITY COLLEGE SYSTEM, AND \$20,000 SHALL BE FROM FEDERAL FUNDS APPROPRIATED TO THE DEPARTMENT OF HEALTH AND ENVIRONMENT.

<sup>e</sup> THIS AMOUNT SHALL BE FROM THE U.S. DEPARTMENT OF EDUCATION.

<sup>f</sup> FOR INFORMATIONAL PURPOSES, THIS AMOUNT SHALL BE FOR STATEWIDE INDIRECT COST RECOVERIES.

**(C) Recreation Subprogram**

Personal Services	<del>6,286,095</del>	6,286,095			
	6,274,380	6,274,380			
		(116.7 FTE)			
Operating Expenses	<u>75,449</u>			75,449 <sup>a</sup>	
	<del>6,361,544</del>				
	6,349,829				

<sup>a</sup> This amount shall be from sales revenues earned by the Canteen Operation.

**(D) Drug and Alcohol Treatment Subprogram**

Personal Services	<del>5,004,043</del>	5,004,043			
	4,954,003	4,954,003			
		(103.0 FTE)			



Operating Expenses	117,580	117,580		
Drug Offender Surcharge Program	995,127		995,127 <sup>a</sup>	
Contract Services	<del>2,389,016</del>	<del>2,139,016</del>	250,000 <sup>a</sup>	
	2,360,081	2,110,081		
Treatment Grants	<del>162,754</del>			100,000 <sup>b</sup>
	142,480			<del>62,754</del>
	<u>8,668,520</u>			42,480 <sup>c</sup>
	8,569,271			

<sup>a</sup> These amounts shall be from the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

<sup>b</sup> This amount shall be from grant funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

<sup>c</sup> THIS AMOUNT SHALL BE FROM THE NATIONAL INSTITUTE OF JUSTICE IN THE U.S. DEPARTMENT OF JUSTICE.

**(E) Sex Offender Treatment Subprogram**

Personal Services	<del>2,728,009</del>	<del>2,699,198</del>	28,811 <sup>a</sup>	
	2,701,017	2,672,206		
		(48.1 FTE)	(1.0 FTE)	
Operating Expenses	84,776	84,276	500 <sup>a</sup>	
Polygraph Testing	99,569	99,569		
TREATMENT GRANTS	<u>500,000</u>			500,000 <sup>b</sup>
	<del>2,912,354</del>			
	3,385,362			

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

<sup>b</sup> THIS AMOUNT SHALL BE FROM THE U.S. DEPARTMENT OF JUSTICE.

**(F) Volunteers Subprogram**

Personal Services	554,119			
	(9.0 FTE)			

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
Operating Expenses	<u>17,912</u> 572,031				572,031 <sup>a</sup>	

<sup>a</sup> This amount shall be from sales revenues earned by the Canteen Operation.

~~41,526,926~~  
42,006,203

**(5) COMMUNITY SERVICES**

**(A) Parole Subprogram**

Personal Services	<del>40,160,792</del> 9,869,334	<del>40,160,792</del> 9,869,334				
			(174.1 FTE)			
			(169.8 FTE)			
Operating Expenses	<del>1,083,146</del> 1,051,362	<del>1,083,146</del> 1,051,362				
Administrative Law Judge Services	4,461	4,461				
Contract Services	<del>1,318,854</del> <u>1,045,392</u> 11,970,549	<del>1,243,854</del> 970,392			75,000 <sup>a</sup>	

<sup>a</sup> This amount shall be from funds appropriated to the Judicial Department for day reporting services.

**(B) Parole Intensive Supervision Subprogram**

Personal Services	<del>4,946,002</del>	
	4,784,520	
	<del>(91.5 FTE)</del>	
	(89.0 FTE)	
Operating Expenses	<del>486,246</del>	
	476,428	
Contract Services	<del>1,653,903</del>	
	1,610,441	
Non-residential Services	<del>1,222,425</del>	
	1,188,921	
Home Detention	<u>69,383</u>	
	<del>8,377,959</del>	<del>8,377,959</del>
	8,129,693	8,129,693

**(C) Community Intensive Supervision Subprogram**

Personal Services	<del>3,217,874</del>	
	3,185,695	
	(52.2 FTE)	
Operating Expenses	515,732	
Contract Services	<del>3,445,642</del>	
	<u>3,195,642</u>	
	<del>7,179,248</del>	<del>7,179,248</del>
	6,897,069	6,897,069

**(D) Community Supervision Subprogram**

(1) Community Supervision

Personal Services	<del>2,916,389</del>	<del>2,916,389</del>
	2,887,225	2,887,225

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Appropriations

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
	\$	\$	\$	\$	\$	\$	\$
			(47.6 FTE)				
Operating Expenses	151,099		151,099				
Community Mental Health Services	<del>549,450</del>		<del>549,450</del>				
Psychotropic Medication	537,066		537,066				
Contract Services for High Risk Offenders	292,300		292,300				
Contract Services for Fugitive Returns	<u>74,524</u>		42,049			32,475 <sup>a</sup>	
	<del>4,162,622</del>						
	4,121,074						

<sup>a</sup> 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	<del>633,252</del>						
	626,919						
	(9.5 FTE)						
Operating Expenses	140,362						
Contract Services	<u>1,062,396</u>						
	<del>1,836,010</del>		<del>1,836,010</del>				
	1,829,677		1,829,677				

**(E) Community Re-entry Subprogram**

Personal Services	<del>1,978,942</del>	<del>1,978,942</del>			
	1,959,153	1,959,153			
		(38.0 FTE)			
Operating Expenses	122,586	122,586			
Offender Emergency Assistance	96,768	96,768			
Contract Services	190,000	190,000			
Offender Re-employment Center	374,000	364,000	10,000 <sup>a</sup>		
Community Reintegration Grants	<del>39,098</del>				<del>39,098</del>
	124,848		750 <sup>b</sup>	85,000 <sup>c</sup>	39,098 <sup>d</sup>
					(1.0 FTE)
	<u>2,801,394</u>				
	2,867,355				

<sup>a</sup> This amount shall be from gifts, grants, and donations.

<sup>b</sup> THIS AMOUNT SHALL BE FROM THE JUSTICE, EQUALITY, HUMAN DIGNITY AND TOLERANCE FOUNDATION.

<sup>c</sup> THIS AMOUNT SHALL BE FROM FUNDS APPROPRIATED TO THE DIVISION OF HOUSING IN THE DEPARTMENT OF LOCAL AFFAIRS.

<sup>d</sup> THIS AMOUNT SHALL BE FROM THE OFFICE OF JUSTICE PROGRAM IN THE U.S. DEPARTMENT OF JUSTICE.

~~36,924,486~~

35,815,417

**(6) PAROLE BOARD**

Personal Services	<del>1,348,408</del>
	1,105,012
	(17.5 FTE)
	(12.5 FTE)

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Operating Expenses	<del>101,545</del> 95,925					
Contract Services	<del>152,000</del> <u>227,000</u>	<del>1,601,953</del> 1,427,937	<del>1,601,953</del> 1,427,937			
<b>(7) CORRECTIONAL INDUSTRIES</b>						
Personal Services	10,112,940			2,975,622 <sup>a</sup> (45.0 FTE)	7,137,318 <sup>b</sup> (118.0 FTE)	
Operating Expenses	5,928,190			1,817,327 <sup>a</sup>	4,110,863 <sup>b</sup>	
Raw Materials	35,823,826			8,441,080 <sup>a</sup>	27,382,746 <sup>b</sup>	
Inmate Pay	1,649,702			468,453 <sup>a</sup>	1,181,249 <sup>b</sup>	
Capital Outlay	1,406,200			337,094 <sup>a</sup>	1,069,106 <sup>b</sup>	
Indirect Cost Assessment	<u>339,024</u>			55,490 <sup>a</sup>	283,534 <sup>b</sup>	
	55,259,882					

<sup>a</sup> Of these amounts, \$13,945,066 is estimated to be from sales to non-state entities, and \$150,000 is estimated to be from the Land Improvement Fund.

<sup>b</sup> Of these amounts, \$35,368,871 is estimated to be from sales to other state agencies, and \$5,795,945 is estimated to be from the Department of Revenue for the purchase of license plates. FOR INFORMATIONAL PURPOSES, \$35,806 SHALL BE FOR STATEWIDE INDIRECT COST RECOVERIES.

**(8) CANTEEN OPERATION**

Personal Services	1,765,376
	(29.7 FTE)

Operating Expenses	12,851,987			
Inmate Pay	40,386			
Indirect Cost Assessment	<u>49,837</u>	14,707,586		14,707,586 <sup>a</sup>

<sup>a</sup> This amount shall be from sales revenues earned by the Canteen Operation. FOR INFORMATIONAL PURPOSES, \$5,350 SHALL BE FOR STATEWIDE INDIRECT COST RECOVERIES.

**TOTALS PART II  
(CORRECTIONS)**

<del>\$733,185,685</del>	<del>\$650,398,285</del>		<del>\$39,979,655</del>	<del>\$42,549,814</del>	<del>\$257,931</del>
<u>\$751,127,189</u>	<u>\$662,611,857</u>		<u>\$44,183,641</u>	<u>\$43,324,213</u>	<u>\$1,007,478</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.

- 4 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.
- 4a Department of Corrections, Institutions, Mental Health Subprogram -- It is the intent of the General Assembly that the funds being appropriated to convert beds at Colorado State Penitentiary (CSP) for use by offenders with mental illness (OMIs) are being appropriated to create an appropriate, secure, therapeutic environment for OMIs within CSP and that the beds shall not be occupied or managed solely for disciplinary purposes.
- 4b Department of Corrections, Institutions, Mental Health Subprogram -- It is the intent of the General Assembly that the Department of Corrections work with the Mentally Ill Task Force to develop a plan for the implementation and ongoing evaluation of the mental health unit at Colorado State Penitentiary (CSP). It is further the intent of the General Assembly that the Department of Corrections submit a report to the House Judiciary Committee and the Senate Judiciary Committee by January 31, 2011, detailing the progress related to the mental health unit at CSP.
- 4c Department of Corrections, Institutions, Mental Health Subprogram -- It is the intent of the General Assembly that the Department of Corrections submit a plan to the House Judiciary Committee and the Senate Judiciary Committee before offenders with mental illness (OMIs) are placed in the beds at Colorado State Penitentiary (CSP) being converted for use by OMIs. Without limiting the scope of the report, the report shall include, at a minimum, plans in the following areas: (1) the basic purpose of the OMI beds at CSP in terms of the role those beds serve relative to the offender's mental health status; (2) the criteria the DOC will use to place offenders in the beds; (3) the services that will be provided to the offenders; (4) the classification levels that will be used and an explanation of the characteristics of those levels; (5) whether and, if so, how offenders will transition from CSP to the general population; and (6) a description of the conditions of confinement, such as the amount of time offenders will be out of their cells, the amount of time in solitary confinement, the availability of recreational, visitation, educational, therapeutic and other programming opportunities and conditions for participating in those opportunities.



**SECTION 2.** The appropriation to the department of corrections for the fiscal year beginning July 1, 2010, as enacted in Section 8 (6) of chapter 263, Session Laws of Colorado 2010 (HB 10-1360), is amended to read:

Section 8. **Appropriation - adjustments to the 2010 long bill.** (6) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for allocation to the parole subprogram, for parole wrap-around services, for the fiscal year beginning July 1, 2010, the sum of one million ~~eight~~ TWO hundred seven thousand two hundred twenty-five dollars (~~\$1,807,225~~) (\$1,207,225).

**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 18, 2011