

CHAPTER 329

APPROPRIATIONS

SENATE BILL 11-150

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

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY.

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

SECTION 1. The appropriation to the department of public safety for the fiscal year beginning July 1, 2010, as enacted in Part XVII of section 2 of chapter 453, Session Laws of Colorado 2010 (HB 10-1376), 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.

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
PART XVII						
DEPARTMENT OF PUBLIC SAFETY						
(1) EXECUTIVE DIRECTOR'S OFFICE						
(A) Administration						
Personal Services	2,214,789 2,132,296			30,163 ^a	2,184,626 2,102,133 ^b (27.7 FTE)	
Health, Life, and Dental	8,115,578	1,479,710		5,883,692 ^c	408,612 ^d	343,564
Short-term Disability	120,356	22,148		86,648 ^c	6,880 ^d	4,680
S.B. 04-257 Amortization Equalization Disbursement	1,858,596	337,973		1,341,642 ^c	106,522 ^d	72,459
S.B. 06-235 Supplemental Amortization Equalization Disbursement	1,352,519	243,731		978,280 ^c	77,673 ^d	52,835
Shift Differential	239,481	36,399		189,959 ^c	13,123 ^d	
Workers' Compensation	2,947,142	992,099 900,963			1,955,043 2,046,179 ^b	
Operating Expenses	143,521				143,521 ^b	
Legal Services for 2,113 hours	155,031				155,031 ^b	

Purchase of Services from Computer Center	1,887,559	769,953	944,316 ^a	173,290 ^b	
Multiuse Network Payments	1,248,103	526,454	95,838 ^c	625,811 ^d	
Management and Administration of OIT	388,945		191,224 ^a	197,721 ^b	
Payment to Risk Management and Property Funds	317,674		15,814 ^a	301,860 ^b	
Vehicle Lease Payments	79,210	16,510	22,358^e	31,582^f	8,760
	103,704	27,096	42,690 ^e	25,158 ^f	
Leased Space	1,907,259	858,230	494,386 ^e	554,643 ^f	
Capitol Complex Leased Space	1,263,765		469,849 ^e	793,916 ^h	
Communication Services Payments	614,520	597	551,209 ^e	49,044 ^h	13,670
Utilities	87,407		85,907 ^a	1,500 ⁱ	
Distributions to Local Government	<u>50,000</u>		50,000 ^j		
	<u>24,991,455</u>				
	24,933,456				

^a These amounts shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S.

^b Of these amounts, ~~\$4,024,320~~ \$4,032,963 shall be from indirect cost recoveries and \$1,086,772 shall be from statewide cost recoveries.

^c Of these amounts, \$8,270,282 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S. and \$800,163 shall be from various sources.

^d Of these amounts, \$596,737 shall be from indirect cost recoveries, \$80,587 shall be from other state agencies for dispatch services, \$61,327 shall be from the Department of Personnel capitol complex leased space rent proceeds, and \$499,970 shall be from various sources.

^e This amount shall be from various sources.

^f Of these amounts, \$519,853 shall be from indirect cost recoveries, and ~~\$66,372~~ \$59,948 shall be from Limited Gaming funds appropriated to the Department of Revenue.

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

* Of these amounts, \$998,805 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., and \$22,253 shall be from various sources.

^b Of these amounts, \$823,762 shall be from indirect cost recoveries and \$19,198 shall be from various sources.

¹ This amount shall be from Limited Gaming funds appropriated to the Department of Revenue.

² This amount shall be from the Hazardous Materials Safety Fund created in Section 42-20-107 (1), C.R.S.

(B) Special Programs

(1) Witness Protection Program

Witness Protection Fund	83,000		83,000			
	142,978		142,978			
Witness Protection Fund Expenditures	83,000				83,000 ^a	
	<u>146,525</u>				146,525 ^a	
	166,000					
	289,503					

^a This amount shall be from the Witness Protection Fund created in Section 24-33.5-106 (6), C.R.S.

(2) Colorado Integrated Criminal Justice Information System (CICJIS)

Personal Services	1,112,538				864,286	248,252
	1,103,895				855,643 ^a	
					(11.0 FTE)	
Operating Expenses	<u>145,477</u>				95,477 ^a	50,000
	1,258,015					
	1,249,372					

^a These amounts shall be from indirect cost recoveries.

(3) School Resource Center Services

Program Costs	348,717	348,717		
	346,681	346,681		
		(4.0 FTE)		

~~26,764,187~~
26,819,012

(2) COLORADO STATE PATROL

Colonel, Lt. Colonels, Majors, and Captains	3,991,445	120,016	3,871,429 ^a	
	3,990,245	118,816		
		(1.0 FTE)	(33.0 FTE)	
Sergeants, Technicians, and Troopers	48,812,674	1,342,063	45,855,389 ^b	1,615,222 ^c
	48,799,253	1,328,642		
		(18.0 FTE)	(576.0 FTE)	(21.6 FTE)
Civilians	4,083,395	43,076	3,975,271^a	65,048 ^c
	4,263,964	42,645	4,156,271 ^d	
		(1.0 FTE)	(70.5 FTE)	(1.0 FTE)
Retirements	400,000		400,000 ^a	
Overtime	1,403,815		1,378,553 ^d	25,262 ^c
Operating Expenses	7,880,491	439,402	7,074,249 ^d	366,840 ^c
Information Technology				
Asset Maintenance	2,843,020		2,843,020 ^e	
Vehicle Lease Payments	6,696,292	184,917	6,249,381^e	136,830^f
	6,531,012	186,132	6,118,696 ^e	125,164
			147,411 ^f	78,773

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Communications Program	7,287,853				6,508,162 ^c (127.1 FTE)	763,223 ^g (9.0 FTE)	16,468
State Patrol Training Academy	2,360,920				1,873,051 ^h (17.0 FTE)	487,869 ⁱ	
Safety and Law Enforcement Support	2,925,835				465,405 ^j	2,460,430 ^k (4.0 FTE)	
Aircraft Program	732,563				539,557 ^l (4.5 FTE)	193,006 ^m (1.5 FTE)	
Executive and Capitol Complex Security Program	3,638,228		2,426,435 (37.5 FTE)			1,211,793 ⁿ (18.5 FTE)	
Hazardous Materials Safety Program	1,105,915				1,105,915 ^o (12.0 FTE)		
Automobile Theft Prevention Authority	5,217,700				5,217,700 ^p (3.0 FTE)		
DUI Enforcement Grants Victim Assistance	1,082,980 652,614				1,082,980 ^q 198,732 ^a	278,882 ^r (5.0 FTE)	175,000 (1.8 FTE)

Counter-drug Program	4,000,000		4,000,000 ^a	
Motor Carrier Safety and Assistance Program Grants	2,662,702			2,662,702 (22.0 FTE)
Federal Safety Grants	1,022,607			1,022,607 (2.0 FTE)
Indirect Cost Assessment	<u>7,420,837</u>		6,835,689 ^d	391,220 ^e 193,928
		116,221,886		
		116,222,554		

^a These amounts shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S.

^b Of this amount, \$44,894,433 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., \$872,092 shall be from the E-470 Toll Road Authority, \$35,379 shall be from the Vehicle Identification Number Inspection Fund created in Section 42-5-204 (2) (a), C.R.S., and \$53,485 shall be from various sources.

^c Of these amounts \$2,023,647 shall be from Limited Gaming funds appropriated to the Department of Revenue and \$48,725 shall be from the Department of Transportation.

^d Of these amounts, ~~\$11,775,423~~ \$11,956,423 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., \$219,852 shall be from the E-470 Toll Road Authority, \$119,769 shall be from the Vehicle Identification Number Inspection Fund created in Section 42-5-204 (2) (a), C.R.S., and \$313,029 shall be from various sources.

^e Of these amounts, ~~\$11,904,801~~ \$11,768,003 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., \$633,644 shall be from user fees from non-state agencies, and ~~\$219,098~~ \$225,211 shall be from various sources.

^f This amount shall be from various sources.

^g Of this amount, \$287,900 shall be from the Department of Transportation, \$150,887 shall be from Limited Gaming funds appropriated to the Department of Revenue, \$101,958 shall be from the Department of Revenue, \$99,189 shall be from the Division of Wildlife, \$82,647 shall be from the Department of Corrections, \$27,481 shall be from the Department of Natural Resources, \$12,662 shall be from the Department of Higher Education (Adams State College), and \$499 shall be from the Colorado Bureau of Investigation.

^h Of this amount, \$1,792,213 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S. and \$80,838 shall be from user fees from non-state agencies.

ⁱ This amount shall be from user fees collected from other state agencies.

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

¹ Of this amount, \$457,516 shall be from user fees collected from non-state agencies and \$7,889 shall be from various sources.

^k Of this amount, \$1,816,753 shall be from the Department of Transportation and \$643,677 shall be from user fees collected from other state agencies.

^l Of this amount, \$349,766 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., \$180,000 shall be from the Aircraft Engine Fund, and \$9,791 shall be from various sources.

^m This amount shall be from user fees collected from other state agencies.

ⁿ Of this amount, \$293,770 shall be from indirect cost recoveries, \$274,044 shall be from the Judicial Department, \$263,595 shall be from the Department of Personnel capitol complex leased space rent proceeds, \$252,004 shall be from the Legislative Department, and \$128,380 shall be from the Department of Law.

^o Of this amount, \$794,773 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., \$189,480 shall be from the Nuclear Materials Transportation Fund created in Section 42-20-511, C.R.S., and \$121,662 shall be from the Hazardous Materials Safety Fund created in Section 42-20-107 (1), C.R.S.

^p This amount shall be from the Colorado Auto Theft Prevention Cash Fund created in Section 42-5-112 (4) (a), C.R.S.

^q This amount shall be from compulsory insurance fine revenue associated with Section 42-4-1409 (9), C.R.S.

^r This amount shall be from the Division of Criminal Justice, Victims and Witnesses Assistance and Law Enforcement Fund created in Section 24-4.2-103, C.R.S.

^s This amount shall be from local governments for the purchase of counter-drug equipment from the federal government pursuant to Title 10, Chapter 18, Section 381 U.S.C.

^t Of this amount, \$6,643,743 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., \$98,359 shall be from the E-470 Toll Road Authority, \$12,023 shall be from the Vehicle Identification Number Inspection Fund created in Section 42-5-204 (2) (a), C.R.S., and \$81,564 shall be from various sources.

^u Of this amount, \$57,701 shall be from other agencies for dispatch services, \$11,162 shall be from the Department of Natural Resources, Division of Wildlife, and \$322,357 shall be from various sources.

(3) OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY

Personal Services	2,106,442	230,614		1,721,500 ^a	154,328 ^b
	2,104,136	228,308			
		(3.0 FTE)		(24.0 FTE)	(2.5 FTE)
Operating Expenses	641,491	15,946		600,962 ^a	24,583 ^b

Office of Anti-Terrorism Planning and Training Personal Services	324,448			324,448 (5.0 FTE)
Office of Anti-Terrorism Planning and Training Operating Expenses Federal Grants	10,991 75,097			10,991 75,097 (0.5 FTE)
Indirect Cost Assessment	<u>286,656</u>		238,561 ^a	13,963 ^b 34,132
	3,445,125			
	3,442,819			

^a Of these amounts, \$1,660,732 shall be from the Public School Construction and Inspection Cash Fund created in Section 24-33.5-1207.7, C.R.S., the remainder shall be from various fund sources including the Firefighter and First Responder Certification Fund created in Section 24-33.5-1207 (1), C.R.S., the Fire Service Education and Training Fund created in Section 24-33.5-1207.5 (1), C.R.S., the Hazardous Materials Responder Voluntary Certification Fund created in Section 24-33.5-1405, C.R.S., the Fire Suppression Cash Fund created in Section 24-33.5-1207.6, C.R.S., the Fireworks Licensing Cash Fund created in Section 12-28-104 (6) (b), C.R.S., and various other sources of cash funds including funds pursuant to Section 24-33.5-1203, C.R.S.

^b These amounts shall be from Limited Gaming funds appropriated to the Department of Revenue and from the Public Safety Inspection Fund created in Section 8-1-151, C.R.S.

(4) DIVISION OF CRIMINAL JUSTICE¹

(A) Administration

Personal Services	2,439,085 2,422,489	1,405,774 1,389,178 (19.5 FTE)	575,310 ^a (7.6 FTE)	376,290 ^b (1.9 FTE)	81,711 (1.3 FTE)
Operating Expenses	213,408	135,107	35,257 ^a	35,451 ^b	7,593
Indirect Cost Assessment	<u>630,129</u>		66,123 ^c		564,006
	3,282,622				
	3,266,026				

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Federal Victims Assistance and Compensation Grants	9,998,833					9,998,833
State Victims Assistance and Law Enforcement Program	1,250,000			1,250,000 ^a		
Child Abuse Investigation	317,725			317,725 ^b		
	<u>11,566,558</u>			(0.4 FTE)		

^a This amount shall be from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S.

^b This amount shall be from the Child Abuse Investigation Surcharge Fund created in Section 18-24-103 (2) (a), C.R.S.

^a Of these amounts, \$453,623 shall be from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S., \$85,994 shall be from reserves in the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S., \$37,213 shall be from the Short-term Innovative Health Program Grant Fund created in Section 25-36-101 (2), C.R.S., and \$33,737 shall be from gifts, grants, and donations.

^b These amounts shall be from indirect cost recoveries.

^c Of this amount, \$43,206 shall be from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S., \$14,931 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S., and \$7,986 shall be from reserves in the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

(C) Juvenile Justice and Delinquency Prevention

Juvenile Justice

Disbursements 866,249

866,249

Juvenile Diversion

Programs ~~1,241,851~~

~~1,241,851~~

1,241,376

1,241,376

(0.9 FTE)

2,108,100

2,107,625

(D) Community Corrections⁴⁵

Community Corrections

Boards Administration 1,927,062

1,927,062

Transition Programs

including standard

residential services at an

average rate of \$37.74

per day per offender, and

specialized substance

abuse treatment at an

average rate of \$55.52

per day per offender

22,770,240

22,770,240

Diversion Programs

including standard

residential services at an

average rate of \$37.74

per day per offender, and

standard nonresidential

services at an average

rate

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
of \$5.12 per day per offender	24,765,812		24,765,812				
Transitional Mental Health Bed Differential	1,024,446		1,024,446				
Diversion Mental Health Bed Differential	241,046		241,046				
Specialized Services	55,000		55,000				
Joan Eachon Re-entry Program	144,540		144,540				
Substance Abuse Treatment Program	1,323,614		523,410		800,204 ^a		
Outpatient Therapeutic Community Programs Accelerated Non-Residential Community Corrections Diversion Pilot Program	505,627		505,627				
	197,392		197,392				
	8,392		8,392				
Intensive Residential Treatment Pilot Project	194,076				194,076 ^a		
	<u>53,148,855</u>						
	52,959,855						

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

(E) Crime Control and System Improvement

State and Local Crime Control and System Improvement Grants	4,998,833			4,998,833
Sex Offender Surcharge Fund Program	152,791		152,791 ^a (1.5 FTE)	
Sex Offender Supervision	324,050 321,609	324,050 321,609 (3.2 FTE)		
Treatment Provider Criminal Background Checks	49,950		49,950 ^b (0.6 FTE)	
Colorado Regional and Community Policing Institute	574,733			375,550 ^c (2.5 FTE) 199,183 (1.5 FTE)
Federal Grants	4,261,687			4,261,687 (17.5 FTE)
Criminal Justice Training Fund	207,542		207,542 ^d (0.5 FTE)	
MacArthur Foundation Grant	200,000		200,000 ^e	
Methamphetamine Abuse Task Force Fund	43,739		43,739 ^f	
	<u>10,813,325</u> 10,810,884			

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 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Lease/Lease Purchase Equipment				378,392 ^a	212,843 ^b	
	<u>591,235</u>					
	8,216,859					

^a These amounts shall be from fingerprint and name check processing fees collected from non-state agencies.

^b These amounts shall be from fingerprint and name check processing fees collected from other state agencies.

(3) Information

Technology	1,350,352	591,765	758,587 ^a	92,000 ^b
	1,442,352			

^a Of this amount, \$631,875 shall be from fingerprint and name check processing fees collected from non-state agencies, \$101,885 shall be from the Sex Offender Registry Fund created in Section 16-22-110 (7), C.R.S., and \$24,827 shall be from various sources.

^b OF THIS AMOUNT, \$46,000 SHALL BE FROM AN APPROPRIATION TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FROM THE MEDICAL MARIJUANA PROGRAM CASH FUND CREATED IN SECTION 25-1.5-106 (16), C.R.S., AND \$46,000 SHALL BE FROM AN APPROPRIATION TO THE DEPARTMENT OF REVENUE FROM THE MEDICAL MARIJUANA LICENSE CASH FUND CREATED IN SECTION 12-43.3-501 (1), C.R.S.

**(C) Laboratory and Investigative
Services**

Personal Services	8,366,139	7,506,515	172,525 ^a	687,099 ^b
	8,291,074	7,431,450		
		(92.8 FTE)	(3.8 FTE)	(7.0 FTE)
Operating Expenses	4,090,881	2,288,722	1,726,857 ^a	75,302 ^c

Complex Financial Fraud Unit	643,526		643,526 ^d
			(7.0 FTE)
Lease/Lease Purchase Equipment	<u>439,196</u>	439,196	
	13,539,742		
	13,464,677		

^a These amounts shall be from the Offender Identification Fund created in Section 24-33.5-415.6 (1), C.R.S.

^b This amount shall be from Limited Gaming funds appropriated to the Department of Revenue.

^c Of this amount, \$56,974 shall be from Limited Gaming funds appropriated to the Department of Revenue and \$18,328 shall be from the Division of Criminal Justice, Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S.

^d This amount shall be from the Colorado Identity Theft and Financial Fraud Cash Fund created in Section 24-33.5-1707 (1) (a), C.R.S.

(D) State Point of Contact - National Instant Criminal Background Check Program

Personal Services	1,321,881	1,090,789	231,092 ^a
	1,310,973	1,079,881	
		(22.0 FTE)	(4.4 FTE)
Operating Expenses	<u>413,901</u>	344,057	69,844 ^a
	1,735,782		
	1,724,874		
	<u>27,792,207</u>		
	27,799,884		

^a These amounts shall be from permit application fees collected pursuant to Section 18-12-205 (2) (b), C.R.S.

**TOTALS PART XVII
(PUBLIC SAFETY)**

\$255,142,865	\$80,878,068	\$125,648,993^c	\$21,365,396	\$27,250,408
<u>\$254,995,217</u>	<u>\$80,538,584</u>	<u>\$125,715,078^a</u>	<u>\$21,524,107</u>	<u>\$27,217,448</u>

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^a Of this amount, ~~\$96,889,092~~ \$96,933,294 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (I) (B), C.R.S.

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.

- 45 Department of Public Safety, Division of Criminal Justice, Community Corrections -- Appropriations for community corrections programs are based on assumptions that providers of community corrections programs will collect client fees of up to \$17 per day for residential programs and up to \$3 per day for nonresidential programs. Pursuant to its authority to administer and execute contracts under section 17-27-108, C.R.S., the Division of Criminal Justice is requested to ensure that every reasonable effort is made to achieve such collections.

SECTION 2. 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 9, 2011