

CHAPTER 285

APPROPRIATIONS

HOUSE BILL 12-1181

BY REPRESENTATIVE(S) Gerou, Becker, Levy, Labuda, Ryden, Schafer S.;
also SENATOR(S) Hodge, Steadman, Lambert, Guzman.

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. Appropriation to the department of corrections for the fiscal year beginning July 1, 2011. In Session Laws of Colorado 2011, section 2 of chapter 335, (SB 11-209), **amend** Part II as follows:

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 II
DEPARTMENT OF CORRECTIONS**

(I) MANAGEMENT

(A) Executive Director's Office Subprogram^{1a}

Personal Services	1,506,441 1,540,695	1,296,890			209,551^a 243,805 ^a	
		(13.1 FTE)			(4.0 FTE)	
Health, Life, and Dental	37,398,347 37,293,325	36,323,985 36,218,963		1,074,362 ^b		
Short-term Disability	563,116 561,835	547,299 546,018		15,817 ^b		
S.B. 04-257 Amortization Equalization Disbursement	8,852,868 8,832,637	8,602,662 8,582,431		250,206 ^b		
S.B. 06-235 Supplemental Amortization Equalization Disbursement	7,067,007 7,050,760	6,865,949 6,849,702		201,058 ^b		

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Shift Differential	4,572,613 4,574,071		4,566,169 4,567,627		6,444 ^b		
Workers' Compensation	6,165,344		5,970,392		194,952 ^b		
Operating Expenses	304,960 278,632		181,882			47,478^a 11,750 ^a	75,600^a 85,000 ^c
Legal Services for 15,298 hours	1,239,958 ^d		1,200,579		39,379 ^b		
Payment to Risk Management and Property Funds	2,823,339		2,710,406		112,933 ^b		
Leased Space	3,410,708		3,200,503		210,205 ^c		
Capitol Complex Leased Space	126,730		98,626		28,104 ^c		
Planning and Analysis Contracts	56,160		56,160				
Payments to District Attorneys	144,108 366,880		144,108 366,880				
	74,231,699 74,321,074						

~~These amounts~~ OF THESE AMOUNTS, \$128,073 shall be from State Victims Assistance and Law Enforcement funds appropriated to the Division of Criminal Justice in the Department of Public Safety AND \$127,482 SHALL BE FROM VICTIMS OF CRIME ACT ASSISTANCE FUNDS APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

^b Of these amounts, \$1,663,943 shall be from sales revenues earned by Correctional Industries, and \$231,208 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, and is shown for informational purposes only.

^d Of this amount, \$1,158,212 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.

(B) External Capacity Subprogram

(1) Private Prison Monitoring Unit

Personal Services	1,065,095	1,065,095	
		(13.3 FTE)	
Operating Expenses	172,170	172,170	
	<u>202,223</u>		30,053 ^a
	1,237,265		
	1,267,318		

^a THIS AMOUNT SHALL BE FROM REVENUE EARNED FROM MONITORING OUT-OF-STATE OFFENDERS IN PRIVATE PRISONS LOCATED IN COLORADO.

(2) Payments to House State Prisoners^{2,3}

Payments to local jails at a rate of \$50.44 per inmate

per day	7,919,786	7,919,786
	9,557,357	9,557,357

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payments to in-state private prisons at a rate of \$54.93 per inmate per day ^a	60,405,258		58,046,551		2,358,707 ^a		
	70,136,218		66,345,809		3,790,409 ^a		
Payments to pre-release parole revocation facilities at a rate of \$54.93 per inmate per day ^a	12,245,683		12,245,683				
	11,845,981		11,845,981				
Community Corrections Programs	3,517,114		3,517,114				
	<u>3,851,545</u>		3,851,545				
	84,087,841						
	95,391,101						

^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	3,673,016		3,571,597		101,419 ^a		
			(45.2 FTE)				
Operating Expenses	338,611		255,424		83,187 ^a		

	338,515	255,328		
Inspector General Grants	40,301		20,301^a	20,000
	404,464		118,714 ^b	285,750 ^c
			(1.0 FTE)	
	<u>4,051,928</u>			
	4,415,995			

^a These amounts shall be from revenues earned from private prison out of state offender investigations.

^b ~~This~~ OF THIS amount \$68,603 shall be from COLORADO INFORMATION ANALYSIS CENTER federal funds appropriated to the Office of Homeland Security in the Governor - Lieutenant Governor - State Planning and Budgeting, AND \$50,111 SHALL BE FROM OFFENDER RELEASE OF INFORMATION TO LAW ENFORCEMENT FUNDS FROM THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

^c OF THIS AMOUNT, \$265,750 SHALL BE FROM PRISON RAPE ELIMINATION ACT (PREA) FUNDS FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE AND \$20,000 SHALL BE FROM EQUITABLE FORFEITURE SHARING FUNDS FROM THE US DEPARTMENT OF JUSTICE, CRIMINAL DIVISION, ASSET FORFEITURE AND MONEY LAUNDERING SECTION.

~~163,608,733~~
175,395,488

(2) INSTITUTIONS

(A) Utilities Subprogram

Energy Management Program	300,792	300,792		
		(2.6 FTE)		
Utilities	18,964,769	17,994,888	969,881^a	
	<u>20,514,677</u>	19,475,759	1,038,918 ^a	
	19,265,561			
	20,815,469			

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

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

(B) Maintenance Subprogram

Personal Services	18,710,166					
	18,736,331					
	(313.2 FTE)					
	(314.5 FTE)					
Operating Expenses	6,620,053					
	6,749,777					
Purchase of Services	1,111,424					
MAINTENANCE GRANTS	195,048					
	<u>26,441,643</u>	26,441,643				
	26,792,580	26,597,532		195,048 ^a		

° THIS AMOUNT SHALL BE FROM A GRANT FROM THE COLORADO STATE HISTORICAL SOCIETY.

(C) Housing and Security Subprogram

Personal Services	158,892,097^a
	158,432,694 ^a
	(3,057.9 FTE)

Operating Expenses	<u>1,919,483</u>	
	160,811,580	160,811,580
	160,352,177	160,352,177

^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 \$962,923 General Fund appropriation contained in Sections 17-1-164 (1) (e) (II), 17-1-165 (1) (e), 17-18-101 (1) (d), 17-18-102 (1) (d), 17-18-103 (1) (d) (II), 17-18-104 (1) (d), 17-18-105 (1) (b), and 17-18-106 (1) (b), 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) (e), C.R.S., for these purposes.

(D) Food Service Subprogram

Personal Services	15,248,796	15,248,796	
	15,201,333	15,201,333	
		(261.1 FTE)	
Operating Expenses	15,984,566	15,904,566	80,000 ^a
	16,172,194		267,628 ^a
Purchase of Services	<u>859,098</u>	859,098	
	32,092,460		
	32,232,625		

^a ~~This amount is anticipated to be~~ THIS AMOUNT EQUALS THE FAIR MARKET VALUE OF SURPLUS FOOD received from the U.S. Department of Agriculture.

(E) Medical Services Subprogram

Personal Services	28,207,834	27,982,637	225,197 ^a
		(368.9 FTE)	(3.0 FTE)
Operating Expenses	2,673,259	2,673,259	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Purchase of Pharmaceuticals	9,680,484		9,680,484				
	11,384,100		11,384,100				
Purchase of Medical Services from Other Medical Facilities	20,479,959		20,479,959				
	20,378,663		20,378,663				
Catastrophic Medical Expenses	7,906,222		7,906,222				
	9,594,144		9,594,144				
Service Contracts	2,452,396		2,452,396				
Indirect Cost Recoveries	49,288				49,288 ^a		
	71,449,442						
	74,739,684						

^a 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 2,225,840
(35.8 FTE)

Operating Expenses	<u>2,143,923</u>	
	4,369,763	4,369,763

(G) Superintendents Subprogram

Personal Services	9,887,092	
	(153.9 FTE)	
Operating Expenses		
Expenses ^{4a}	3,944,006	
Dress Out	<u>675,433</u>	
	14,506,531	14,506,531

(H) Youthful Offender System Subprogram

Personal Services	9,941,970	
	(162.7 FTE)	
Operating Expenses	469,028	
Contract Services	28,820	
Purchase of Services	<u>624,589</u>	
	11,064,407	11,064,407

(I) Case Management Subprogram

Personal Services	15,579,924	
	15,485,744	
	(218.8 FTE)	
Operating Expenses	<u>158,803</u>	
	15,738,727	15,738,727

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS		
\$	\$	\$	\$	\$	\$	\$	\$
15,644,547		15,644,547					
(J) Mental Health Subprogram^{5,6}							
Personal Services	9,185,117		9,185,117				
			(120.6 FTE)				
Operating Expenses	268,508		268,508				
Medical Contract Services	566,961		566,961				
Mental Health Grants	200,100					200,100*	
	230,000					230,000 ^a	
	10,220,686						
	10,250,586						

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

**(K) Inmate Pay
Subprogram**

	1,533,490		1,533,490				
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(L) San Carlos Subprogram

Personal Services	12,470,077						
	(178.2 FTE)						
Operating Expenses	199,092						

Service Contracts	<u>725,309</u>	
	13,394,478	13,394,478

(M) Legal Access Subprogram

Personal Services	1,265,478	
	(20.5 FTE)	
Operating Expenses	284,622	
Contract Services	<u>70,905</u>	
	1,621,005	1,621,005

~~382,509,773~~

387,317,342

(3) SUPPORT SERVICES

(A) Business Operations Subprogram

Personal Services	6,044,229	5,603,782	432,425 ^a	8,022 ^b
		(81.7 FTE)	(10.6 FTE)	
Operating Expenses	<u>223,630</u>	223,630		
	6,267,859			

^a Of this amount, \$347,328 shall be from sales revenues earned by Correctional Industries, \$48,262 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. For informational purposes, \$398,781 shall be for department-wide indirect cost recoveries, and \$33,644 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	1,241,634
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(17.0 FTE)						
Operating Expenses	<u>82,259</u>						
	1,323,893		1,323,893				
(C) Offender Services Subprogram							
Personal Services	2,899,880						
	(42.1 FTE)						
Operating Expenses	<u>55,332</u>						
	2,955,212		2,955,212				
(D) Communications Subprogram							
Operating Expenses	1,478,755		1,478,755				
	1,477,045		1,477,045				
Multiuse Network Payments	2,303,077		2,233,566		69,511 ^a		
Dispatch Services	230,270		230,270				
	190,218		190,218				
Communication Services Payments	<u>1,736,517</u>		1,736,517				
	5,748,619						
	5,706,857						

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

(E) Transportation Subprogram

Personal Services	1,932,495	1,932,495	
		(35.9 FTE)	
Operating Expenses	269,888	269,888	
Vehicle Lease Payments	2,459,054	2,204,858	254,196
	<u>2,540,883</u>	2,289,725	251,158 ^a
	4,661,437		
	4,743,266		

^a Of this amount, \$240,259 shall be from sales revenues earned by Correctional Industries, and \$10,899 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

Personal Services	1,924,989	
	1,906,530	
	(25.7 FTE)	
Operating Expenses	267,146	
	<u>267,050</u>	
	2,192,135	2,192,135
	2,173,580	2,173,580

(G) Information Systems Subprogram

Operating Expenses	1,538,722
	1,537,964

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	6,257,607		6,257,607				
			(114.8 FTE)				
Operating Expenses	<u>74,033</u>				74,033 ^a		
	6,331,640						
	6,331,640						

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

(D) Drug and Alcohol Treatment Subprogram

Personal Services	3,970,080		3,970,080				
			(42.8 FTE)				
Operating Expenses	117,316		117,316				
Drug Offender Surcharge Program	995,127				995,127 ^a		
Contract Services	2,307,816		2,057,816		250,000 ^a		
	2,290,957		2,040,957				
Treatment Grants	125,000					125,000 ^a	
	<u>312,461</u>						312,461 ^b
	7,515,339						
	7,685,941						

^a 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.

(E) Sex Offender Treatment Subprogram

Personal Services	2,739,343	2,710,964	28,379 ^a	
		(39.8 FTE)	(1.0 FTE)	
Operating Expenses	84,776	84,276	500 ^a	
Polygraph Testing	99,569	99,569		
Sex Offender Treatment Grants	248,513			248,513
	<u>511,587</u>			511,587 ^b
	3,172,201			
	3,435,275			

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

^b This amount shall be for the Sex Offender Community Reintegration Program from the U.S. Department of Justice.

(F) Volunteers Subprogram

Personal Services	555,345			
	(7.4 FTE)			
Operating Expenses	<u>17,912</u>			
	573,257		573,257 ^a	

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

~~38,170,980~~

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	39,322,896					
(5) COMMUNITY SERVICES						
(A) Parole Subprogram						
Personal Services	10,436,038 10,355,338	10,436,038 10,355,338				
		(162.4 FTE)				
		(160.5 FTE)				
Operating Expenses	1,120,865 1,114,583	1,120,865 1,114,583				
Administrative Law Judge Services	4,189 4,449	4,189 4,449				
Contract Services	3,230,247 3,216,589	1,755,247 1,741,589			1,475,000*	
Wrap-Around Services Program	<u>1,207,225</u> 15,998,564	1,207,225				
	15,898,184					

* This amount shall be from funds appropriated to the Judicial Department.

(B) Parole Intensive Supervision Subprogram

Personal Services	4,805,231	
	4,761,726	
	(74.3 FTE)	
	(73.3 FTE)	
Operating Expenses	470,102	
	466,730	
Contract Services	1,575,551	
	1,550,100	
Non-residential Services	1,178,055	
	1,158,436	
Home Detention	<u>69,383</u>	
	8,098,322	8,098,322
	8,006,375	8,006,375

(C) Community Intensive Supervision Subprogram

Personal Services	3,223,670	
	(45.6 FTE)	
Operating Expenses	515,113	
Contract Services	<u>3,174,885</u>	
	6,913,668	6,913,668

(D) Community Supervision Subprogram

(1) Community Supervision

Personal Services	2,833,644	2,833,644
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
			(35.5 FTE)				
Operating Expenses	138,366		138,366				
Community Mental Health Services	457,083		457,083				
	629,803		449,803			180,000 ^b	
Psychotropic Medication	131,760		131,760				
Contract Services for High Risk Offenders	243,162		243,162				
Contract Services for Fugitive Returns	<u>74,524</u>		42,049			32,475 ^a	
	3,878,539						
	4,051,259						

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

^b THIS AMOUNT SHALL BE FOR INTENSIVE RESIDENTIAL TREATMENT SERVICE FOR PAROLEES FROM AN APPROPRIATION TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

(2) Youthful Offender System Aftercare

Personal Services	636,789
	(8.0 FTE)
Operating Expenses	140,362

Contract Services	<u>1,062,396</u>			
	1,839,547	1,839,547		
(E) Community Re-entry Subprogram				
Personal Services	1,995,144	1,995,144		
		(35.6 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 ^a	
Community Reintegration Grants	124,098		85,000 ^a	39,098
	129,213		90,115 ^b	
	<u>2,902,596</u>			(1.0 FTE)
	2,907,711			

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

^b ~~This amount shall be~~ OF THIS AMOUNT, \$82,684 SHALL BE FOR THE COLORADO SECOND CHANCE HOUSING AND PRISONER RE-ENTRY PROGRAM from funds appropriated to the Division of Housing in the Department of Local Affairs AND \$7,431 SHALL BE FOR THE GEOGRAPHIC INFORMATION SYSTEMS PROGRAM FROM THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

~~39,631,236~~
39,616,744

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS		
\$	\$	\$	\$	\$	\$	\$	\$
(6) PAROLE BOARD							
Personal Services	1,197,526 (12.5 FTE)						
Operating Expenses	99,545						
Contract Services	<u>228,637</u>	1,525,708	1,525,708				
(7) CORRECTIONAL INDUSTRIES							
Personal Services	10,160,810			2,989,807 ^a (39.2 FTE)	7,171,003 ^b (102.9 FTE)		
Operating Expenses	5,928,190			1,817,327 ^a	4,110,863 ^b		
Raw Materials	35,823,826			8,441,080 ^a	27,382,746 ^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	347,654			64,120 ^a	283,534 ^b		
CORRECTIONAL INDUSTRIES GRANTS	<u>1,000,000</u>						1,000,000 ^c
		55,316,382					
		56,316,382					

^a Of these amounts, \$13,967,881 is estimated to be from sales to non-state entities, and \$150,000 is estimated to be from the Land Improvement Fund.

^b Of these amounts, \$35,405,132 is estimated to be from sales to other state agencies, and \$5,793,369 is estimated to be from the Department of Revenue for the purchase of license plates. For informational purposes, \$44,436 shall be for statewide indirect cost recoveries.

^c THIS AMOUNT SHALL BE FROM THE U.S. DEPARTMENT OF STATE.

(8) CANTEEN OPERATION

Personal Services	1,770,093			
	(26.9 FTE)			
Operating Expenses	12,851,987			
Inmate Pay	40,386			
Indirect Cost Assessment	<u>51,127</u>			
	14,713,593		14,713,593 ^a	

^a 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

	\$727,033,553	\$641,840,769		\$40,223,654	\$44,250,443	\$718,687
(CORRECTIONS)	<u>\$745,786,055</u>	<u>\$655,856,905</u>	<u> </u>	<u>\$41,946,456</u>	<u>\$44,785,593</u>	<u>\$3,197,101</u>

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

- 1a 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, SUPERINTENDENTS SUBPROGRAM -- THE UNEXPENDED BALANCE OF FISCAL YEAR 2011-12 APPROPRIATIONS FOR FORT LYON CORRECTIONAL FACILITY STAFF MOVING AND RELOCATION EXPENSES SHALL BE ROLLED FORWARD FOR EXPENDITURE IN FISCAL YEAR 2012-13.
- 5 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.
- 6 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 Offender Task Force to develop a plan for the implementation and ongoing evaluation of the mental health unit at Colorado State Penitentiary (CSP).

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: April 6, 2012