

CHAPTER 403

APPROPRIATIONS

HOUSE BILL 14-1233

BY REPRESENTATIVE(S) Duran, May, Gerou, Fields, Labuda, Pettersen, Rosenthal, Williams;
also SENATOR(S) Steadman, Hodge, Lambert, Crowder, 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, 2013. In Session Laws of Colorado 2013, section 2 of chapter 441, (SB 13-230), **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

Personal Services	1,540,695	1,296,890			243,805 ^a	
	1,595,485	1,351,680				
		(17.6 FTE)			(4.0 FTE)	
		(18.9 FTE)				
Health, Life, and Dental	44,530,806	43,015,413		1,515,393 ^b		
	44,623,647	43,108,254				
Short-term Disability	605,263	585,519		19,744 ^b		
	606,866	587,122				
S.B. 04-257 Amortization Equalization Disbursement	11,342,186	10,968,249		373,937 ^b		
	11,374,795	11,000,858				
S.B. 06-235 Supplemental Amortization Equalization Disbursement	10,198,829	9,861,247		337,582 ^b		

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	10,228,268		9,890,686				
Salary Survey	6,467,735		6,234,775		232,960 ^b		
Merit Pay	4,550,598		4,402,970		147,628 ^b		
Shift Differential	7,073,831		7,046,447		27,384 ^b		
Workers' Compensation	8,481,245		8,212,977		268,268 ^b		
Operating Expenses	281,455 296,240		191,455 206,240			5,000 ^a	85,000(I) ^c
Legal Services for 15,298 hours	1,475,089 ^d		1,427,727		47,362 ^b		
Payment to Risk Management and Property Funds	3,727,652		3,580,747		146,905 ^b		
Leased Space	3,549,546 3,590,796		3,333,035 3,374,285		216,511 ^c		
Capitol Complex Leased Space	171,071		133,025		38,046 ^c		
Planning and Analysis Contracts	26,250		26,250				
Payments to District Attorneys	366,880 <u>1,224,693</u>		366,880 1,224,693				

~~104,389,131~~
105,514,261

^a These amounts shall be transferred from the Department of Public Safety, Division of Criminal Justice, Victims Assistance, State Victims Assistance and Law Enforcement Program line item.

^b Of these amounts, \$2,736,869 shall be from sales revenues earned by Correctional Industries, and \$380,294 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 included for informational purposes only.

^d Of this amount, \$1,393,343 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	
		(15.7 FTE)	
Operating Expenses	<u>213,443</u>	183,976	29,467 ^a
	1,278,538		

^a This amount shall be from revenues earned from monitoring private Colorado prisons that house out-of-state offenders.

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

Payments to local jails at a rate of \$51.45 per

inmate per day	10,524,798	10,524,798
	13,529,478	13,529,478

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	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 \$53.74 per inmate per day	58,762,213		56,403,506		2,358,707 ^a		
	63,312,916		60,954,209				
Payments to pre-release parole revocation facilities at a rate of \$53.74 per inmate per day	10,040,467		10,040,467				
	10,844,686		10,844,686				
Community Corrections Programs	3,617,755		3,617,755				
	<u>3,898,075</u>		<u>3,898,075</u>				
	82,945,233						
	91,585,155						

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

(C) Inspector General Subprogram

Personal Services	3,635,506		3,535,149 (45.2 FTE)		100,357 ^a		
Operating Expenses	349,219		266,032		83,187 ^a		

	349,771	266,584		
Inspector General Grants	235,649		27,737 ^b	207,912(I)
	<u>4,220,374</u>		(1.0 FTE)	
	4,220,926			

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

^b This amount shall be from federal funds appropriated to the Division of Homeland Security and Emergency Management in the Department of Public Safety.

~~+92,833,276~~
202,598,880

(2) INSTITUTIONS

(A) Utilities Subprogram

Energy Management Program	300,792	300,792		
		(2.6 FTE)		
Utilities	+9,633,638	+8,582,804	1,050,834 ^a	
	<u>19,819,350</u>	18,768,516		
	+9,934,436			
	20,120,142			

^a This amount 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
	\$	\$	\$	\$	\$	\$
(B) Maintenance Subprogram						
Personal Services	16,434,463 16,482,768 (273.0 FTE)					
	(274.0 FTE)					
Operating Expenses	5,192,880 4,978,432					
Purchase of Services	<u>1,467,820</u>					
	23,095,163 22,929,020		23,095,163 22,929,020			
(C) Housing and Security Subprogram						
Personal Services	154,253,101^a 154,703,589 ^a		154,250,154 154,700,642 (2,910.8 FTE) (2,921.1 FTE)		2,947 ^b	
Operating Expenses	<u>1,755,119</u> 1,773,861		1,755,119 1,773,861			

~~156,008,220~~
156,477,450

^a In addition to the funding provided in this line item, it is the intent of the General Assembly that the Department of Corrections utilize the General Fund appropriations that total \$56,814 that are contained in Sections 17-18-105 (1) (d) and 17-18-107 (1) (b), C.R.S., for these purposes.

^b This amount shall be from the Corrections Expansion Reserve Fund created in Section 17-1-116, C.R.S., from forfeiture bonds and fees, pursuant to Section 16-3-503 (2), C.R.S.

(D) Food Service Subprogram

Personal Services	17,010,938	17,010,938	
	17,023,014	17,023,014	
		(311.9 FTE)	
		(312.2 FTE)	
Operating Expenses	15,408,822	15,328,822	80,000(I) ^a
	15,594,191	15,514,191	
Purchase of Services	1,228,011	1,228,011	
	<u>1,264,258</u>	1,264,258	
	33,647,771		
	33,881,463		

^a This amount is anticipated to be received from the U.S. Department of Agriculture and is included for informational purposes only.

(E) Medical Services Subprogram

Personal Services	29,952,281	29,727,084	225,197 ^a
	29,988,966	29,763,769	

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
			(382.5 FTE)		(3.0 FTE)		
			(383.1 FTE)				
Operating Expenses	2,556,475		2,556,475				
	2,565,081		2,565,081				
Purchase of Pharmaceuticals	10,787,338		10,787,338				
	11,507,574		11,507,574				
Purchase of Medical Services from Other Medical Facilities	20,239,411		20,239,411				
	22,246,973		22,246,973				
Catastrophic Medical Expenses	12,286,356		12,286,356				
	16,111,393		16,111,393				
Service Contracts	2,389,886		2,389,886				
Indirect Cost Assessment	<u>2,932</u>				2,932 ^a		
	78,214,679						
	84,812,805						

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

(F) Laundry Subprogram

Personal Services	2,238,193	
	(37.4 FTE)	
Operating Expenses	2,073,282	
	<u>2,086,919</u>	
	4,311,475	4,311,475
	4,325,112	4,325,112

(G) Superintendents Subprogram

Personal Services	9,867,790	
	(155.9 FTE)	
Operating Expenses	3,244,261	
	3,268,234	
Dress Out	675,433	
Start-up costs	110,743	
	<u>231,213</u>	
	13,898,227	13,898,227
	14,042,670	14,042,670

(H) Youthful Offender System Subprogram

Personal Services	9,941,970	
	(160.7 FTE)	
Operating Expenses	604,705	
Contract Services	28,820	
Purchase of Services	<u>624,589</u>	
	11,200,084	11,200,084

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(I) Case Management Subprogram							
Personal Services	14,801,090						
	14,871,926						
	(211.8 FTE)						
	(213.2 FTE)						
Operating Expenses	154,724						
	155,517						
	14,955,814		14,955,814				
	15,027,443		15,027,443				
(J) Mental Health Subprogram							
Personal Services	10,202,289		10,202,289				
	10,215,125		10,215,125				
			(126.2 FTE)				
			(126.5 FTE)				
Operating Expenses	257,853		257,853				
	258,344		258,344				
Medical Contract Services	3,883,548		3,883,548				
Mental Health Grants	64,799				64,799 ^a		
	14,408,489						

14,421,816

^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	<u>1,449,154</u>	<u>1,449,154</u>
	1,468,495	1,468,495

(L) Legal Access Subprogram

Personal Services	1,321,783	
	(21.5 FTE)	
Operating Expenses	299,602	
Contract Services	<u>70,905</u>	
	1,692,290	1,692,290

~~372,815,796~~

380,398,790

(3) SUPPORT SERVICES

(A) Business Operations Subprogram

Personal Services	5,919,769	5,416,012	36,835 ^a	466,922 ^b
		(90.0 FTE)		(10.0 FTE)
Operating Expenses	<u>234,201</u>	234,201		
	6,153,970			

^a This amount shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S.

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

^b Of this amount, \$360,959 shall be for department-wide indirect cost recoveries and \$105,963 shall be for statewide indirect cost recoveries.

(B) Personnel Subprogram

Personal Services	1,193,823					
	(18.8 FTE)					
Operating Expenses	86,931					
	<u>1,280,754</u>		1,280,754			

(C) Offender Services Subprogram

Personal Services	2,956,777					
	(44.3 FTE)					
Operating Expenses	62,044					
	<u>3,018,821</u>		3,018,821			

(D) Communications Subprogram

Operating Expenses	1,547,100	1,547,100				
	1,557,038	1,557,038				
Colorado State Network	4,015,587	3,894,388		121,199 ^a		
Dispatch Services	200,000	200,000				
	224,477	224,477				

Communication			
Services Payments	<u>2,016,459</u>	2,016,459	
	7,779,146		
	7,813,561		

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

(E) Transportation Subprogram

Personal Services	1,912,572	1,912,572	
		(35.9 FTE)	
Operating Expenses	284,794	284,794	
Vehicle Lease Payments	3,098,328	2,688,301	410,027^a
	<u>2,884,060</u>	2,568,569	315,491 ^a
	5,295,694		
	5,081,426		

^a Of this amount, ~~\$391,258~~ \$296,722 shall be from sales revenues earned by Correctional Industries, and \$18,769 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

Personal Services	1,855,682		
	(25.0 FTE)		
Operating Expenses	276,376		
	<u>277,762</u>		
	2,132,058	2,132,058	
	2,133,444	2,133,444	

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(G) Information Systems Subprogram						
Operating Expenses	1,614,582 1,618,999	1,614,582 1,618,999				
Purchase of Services from Computer Center	8,047,004	8,047,004				
Management and Administration of OIT	288,515	288,515				
COFRS Modernization Information	544,510	480,395		30,736 ^a	33,379 ^b	
Technology Security	<u>148,946</u>	147,748		1,198 ^a		
	10,643,557 10,647,974					

^a These amounts shall be from Correctional Industries sales to non-state entities and from sales revenues earned by the Canteen Operation.

^b This amount shall be from Correctional Industries sales to other state agencies.

(H) Facility Services Subprogram

Personal Services	909,126
	(9.8 FTE)
Operating Expenses	<u>83,096</u>

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
14,055,055						

^a Of these amounts, \$1,421,994 shall be from sales revenues earned by vocational programs, and ~~\$1,317,878~~ \$1,323,312 shall be from sales revenues earned by the Canteen Operation.

^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, \$42,410 shall be from special education funds, \$25,470 shall be from Title I - No Child Left Behind funds received from the Colorado Department of Education, and \$8,364 shall be from an HIV Prevention Program of the Colorado Department of Public Health and Environment.

(C) Recreation Subprogram

Personal Services	6,394,753	6,394,753		
		(116.7 FTE)		
Operating Expenses	67,697		67,697^a	
	<u>69,106</u>		69,106 ^a	
	6,462,450			
	6,463,859			

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

(D) Drug and Alcohol Treatment Subprogram

Personal Services	4,986,150	4,986,150	
		(85.4 FTE)	
Operating Expenses	110,932	110,932	
Services for Substance Abuse and Co-occurring Disorders	995,127		995,127 ^a
Contract Services	2,287,607	2,037,607	250,000 ^a
Treatment Grants	<u>126,682</u>		126,682 ^b
	8,506,498		

^a These amounts shall be transferred from the Judicial Department, Probation and Related Services, from the Offender Treatment and Services line item appropriation. These amounts originate as General Fund that is appropriated to the Correctional Treatment Cash Fund pursuant to Sections 18-19-103 (3.5) (b) and (4) (a), 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	2,899,553	2,871,174	28,379 ^a
	3,528,612	3,500,233	
		(41.8 FTE)	(1.0 FTE)
		(50.8 FTE)	
Operating Expenses	85,776	85,276	500 ^a
	91,193	90,693	
Polygraph Testing	99,569	99,569	
	242,500	242,500	
Sex Offender Treatment Grants	65,597		65,597(I)

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
Start-up Costs	12,856		12,856			
	<u>77,570</u>		<u>77,570</u>			
	3,163,351					
	4,005,472					

^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	555,345				
	(8.0 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.

~~38,065,354~~
38,975,796

(5) COMMUNITY SERVICES

(A) Parole Subprogram

Personal Services	10,385,066		10,385,066		
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	10,766,889	10,766,889	
		(167.6 FTE)	
		(174.3 FTE)	
Operating Expenses	1,123,795	1,123,795	
	1,174,353	1,174,353	
Administrative Law			
Judge Services	2,782	2,782	
Contract Services	3,564,892	1,782,792	1,782,100 ^a
Wrap-Around			
Services Program	1,207,225	1,207,225	
Start-up Costs	19,911	19,911	
	<u>350,621</u>	350,621	
	16,303,671		
	17,066,762		

^a This amount shall be transferred from the Judicial Department, Probation and Related Services, from the Offender Treatment and Services line item appropriation. This amount includes \$1,757,100 that originates as General Fund that is appropriated to the Correctional Treatment Cash Fund pursuant to Sections 18-19-103 (3.5) (b) and (4) (a), C.R.S., and \$25,000 that originates as General Fund that is appropriated for the provision of day reporting services.

(B) Parole Intensive Supervision Subprogram

Personal Services	4,876,340
	(85.6 FTE)
Operating Expenses	485,197
Contract Services	1,624,538
Non-residential Services	1,215,818
Home Detention	69,383
Start-up Costs	<u>10,814</u>

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
8,282,090		8,282,090				
(C) Community Intensive Supervision Subprogram						
Personal Services	3,002,440					
	(43.5 FTE)					
Operating Expenses	502,071					
Contract Services	<u>2,856,512</u>					
	6,361,023	6,361,023				
(D) Community Supervision Subprogram						
(1) Community Supervision						
Personal Services	2,676,439	2,676,439				
		(40.3 FTE)				
Operating Expenses	130,579	130,579				
Community Mental Health Services	614,013	614,013				
Psychotropic Medication	131,400	131,400				
Contract Services for High Risk Offenders	221,200	221,200				
Contract Services for Fugitive Returns	<u>74,524</u>	42,049			32,475 ^a	

3,848,155

^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	636,789	
	(8.0 FTE)	
Operating Expenses	141,067	
Contract Services	<u>1,062,396</u>	
	1,840,252	1,840,252

(E) Community Re-entry Subprogram

Personal Services	1,974,663	1,974,663		
		(35.6 FTE)		
Operating Expenses	123,202	123,202		
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	48,779		9,681 ^b	39,098(I)
	<u>2,807,412</u>			(1.0 FTE)

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

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

^b This amount shall be from funds appropriated to the Division of Housing in the Department of Local Affairs.

~~39,442,603~~
40,205,694

(6) PAROLE BOARD

Personal Services	1,197,526				
	(13.5 FTE)				
Operating Expenses	104,890				
Contract Services	<u>272,437</u>				
		1,574,853	1,574,853		

(7) CORRECTIONAL INDUSTRIES

Personal Services	10,160,810			2,989,807 ^a	7,171,003 ^b
				(42.8 FTE)	(112.2 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

Correctional Industries Grants	503,050				503,050(I)
Indirect Cost Assessment	<u>383,378</u>		128,227 ^a	253,059 ^b	2,092(I)
		55,855,156			

^a Of these amounts, \$14,031,988 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, \$35,374,657 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.

(8) CANTEEN OPERATION

Personal Services	1,770,093				
	(28.0 FTE)				
Operating Expenses	12,851,987				
Inmate Pay	40,386				
Indirect Cost Assessment	<u>80,497</u>				
		14,742,963		14,742,963(I) ^a	

^a This amount shall be from sales revenues earned by the Canteen Operation and is shown for informational purposes because it is continuously appropriated to the division by Section 17-24-126 (1), C.R.S.

TOTALS PART II

(CORRECTIONS)	\$752,626,223	\$665,542,718		\$40,179,999*	\$45,892,992	\$1,010,514 ^b
	<u>\$771,474,304</u>	<u>\$684,478,492</u>	<u> </u>	<u>\$40,092,306^a</u>	<u> </u>	<u> </u>

^a Of this amount, \$14,742,963 contains an (I) notation.

^b This amount contains an (I) notation.

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

- 2 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- The Department of Corrections may transfer up to 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.

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: February 27, 2014