

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 13-0545
Prime Sponsor(s): Rep. Buck
 Sen. Renfroe

Date: January 25, 2013
Bill Status: House Judiciary
Fiscal Analyst: Kerry White (303-866-3469)

TITLE: CONCERNING THE APPLICATION OF MANDATORY PROTECTION ORDERS TO PAROLEES.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
State Expenditures	See State Expenditures section.	
FTE Position Change		
Effective Date: August 7, 2013, if the General Assembly adjourns on May 8, 2013, as scheduled, and no referendum petition is filed.		
Appropriation Summary for FY 2013-2014: None required.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

This bill clarifies how long a mandatory protection order stays in effect. Under current law, a mandatory protection order is issued against a person charged with a criminal offense and stays in effect until "final disposition of the action." Current law defines this term as when the case is dismissed, the defendant is acquitted, or the defendant completes his or her sentence. This bill further clarifies that if the defendant is sentenced to a period of incarceration, "final disposition of the action" does not occur until the defendant (now offender) is also discharged from parole supervision.

State Expenditures

This bill will have a minimal impact on state expenditures. By clarifying that the mandatory protection order continues through the period of parole, the Department of Corrections (DOC) will be required to notify offenders of the change in law. In addition, extending the length of time that mandatory protection orders stay in effect to include the duration of parole may increase the number of offenders that violate an order. To the extent that this occurs, court costs for the Judicial Department will increase and offenders may return to prison on a technical parole violation. This analysis assumes that neither the DOC nor the Judicial Department will require an increase in appropriations.

Local Government Impact

Similar to the state, costs for district attorneys could increase as a result of extending the period of time mandatory protection orders are in effect. Any increase in costs is anticipated to be minimal.

Departments Contacted

Corrections
Judicial

Counties
Local Affairs

District Attorneys
Municipalities