

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING CREATION OF AN ADULT DIVERSION PROGRAM.

Prime Sponsors: Representative Levy  
Senator Steadman

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**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/13/13.

XXX	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

**Amendments in This Packet for Consideration by Appropriations Committee**

Amendment	Description
J.001	Bill Sponsor amendment - changes fiscal impact <i>and</i> appropriation

**Current Appropriations Clause in Bill**

The bill neither requires nor contains an appropriation clause for FY 2013-14.

**Description of Amendments in This Packet**

**J.001** Bill Sponsor amendment **J.001** (attached):

- Authorizes a district attorney to retain and use any pretrial diversion supervision fees that are collected to support an adult pretrial diversion program.
- Establishes a process through which a district attorney may apply for state funds to support an adult pretrial diversion program. Requires the State Court Administrator to establish a Diversion Funding Committee (with specified membership) to: develop associated funding guidelines and an application process; review all funding requests that are submitted by district attorneys; and approve all or a portion of a funding request that meets the guidelines of the bill (or to deny a request).
- Specifies that moneys from the Correctional Treatment Cash Fund may be used to serve adults and juveniles under supervision in a pretrial diversion program for a state offense.
- Appropriates a total of \$425,000 General Fund and 0.5 FTE to the Judicial Department for FY 2013-14 to support the Diversion Funding Committee and administer the allocation of state funds to district attorneys. This appropriation includes the following:

## HB13-1156

## JBC Staff Analysis

- ▶ \$33,072 for 0.5 FTE Courts Programs Analyst I;
- ▶ \$475 for operating expenses;
- ▶ \$1,230 for a computer and software; and
- ▶ \$390,223 for allocation to one or more district attorney adult pretrial diversion programs.

### Points to Consider

#### *General Fund Impact*

The Joint Budget Committee introduced a budget package for FY 2013-14 based on the March 2013 Office of State Planning and Budgeting revenue forecast. The budget package appropriates all but approximately \$8.0 million of General Fund revenues projected to be available, less a statutorily required five percent General Fund reserve. If sponsor amendment J.001 is adopted, this bill will include a General Fund appropriation of \$425,000 for FY 2013-14.