

**STATE
FISCAL IMPACT**

Drafting Number: LLS 13-0678

Date: February 5, 2013

Prime Sponsor(s): Rep. Szabo

Bill Status: House SVMA

Fiscal Analyst: Kerry White (303-866-3469)

TITLE: CONCERNING PAROLE ELIGIBILITY OF A PERSON CONVICTED OF VEHICULAR HOMICIDE.

Fiscal Impact Summary	FY 2013-2014	FY 2017-2018	FY 2018-2019
State Revenue			
State Expenditures General Fund		\$3,487	\$62,448
FTE Position Change			
Effective Date: July 1, 2013.			
Appropriation Summary for FY 2013-2014: None required.			
Local Government Impact: None.			

Summary of Legislation

This bill modifies the amount of time that a person convicted of vehicular homicide must serve in prison prior to becoming eligible for parole. Under current law, a person who commits vehicular homicide must serve at least 50 percent of his or her sentence before becoming eligible for parole. This bill increases the time requirement to 75 percent, less any earned time credits, if they have a previous serious driving offense conviction that was committed in Colorado.

State Expenditures

This bill is anticipated to increase state General Fund expenditures in the Department of Corrections (DOC) by an estimated \$62,448 per year beginning in FY 2017-18. However, this amount is pro-rated in FY 2017-18 to \$3,487. This increase is based on approximately three offenders per year serving longer prison sentences. Currently, the estimated length of stay for these offenders is 59.3 months, which would increase to 89.0 months, assuming no other changes in parole (i.e. parole granted at the same rate as it is currently granted).

Current law prohibits the General Assembly from passing any bill to increase periods of imprisonment in state correctional facilities without appropriating an amount sufficient to cover the increased capital construction and operating costs of the bill in each of the first five fiscal years. However, current law also allows the DOC to place offenders classified as medium custody and below in private contract prisons, for which no state capital construction costs are incurred.

Offenders sentenced under this bill to DOC may be placed in either a state-run or a private contract prison, depending on several factors. Any offenders that *must* be housed in a state-run prison will likely require a shift of other inmates in that facility to private contract prisons. Therefore, *this fiscal note assumes that the impact of this bill will be accommodated through the use of private contract prisons, and that no new capital construction funds are necessary.*

Offenders placed in a private contract prison cost the state about \$57.03 per offender per day, including the current daily rate of \$52.69 and an estimated \$4.34 per offender per day for medical care provided by the DOC. Table 1 shows the estimated cost of the bill over the next six fiscal years.

Fiscal Year	Inmate Bed Impact	Construction Cost	Operating Cost	Total Cost
FY 2013-14	0.0	\$0	\$0	\$0
FY 2014-15	0.0	0	0	0
FY 2015-16	0.0	0	0	0
FY 2016-17	0.0	0	0	0
FY 2017-18	0.2	0	3,487	3,487
FY 2018-19	3.0	0	62,448	62,448
Total		\$0	\$65,935	\$65,935

Departments Contacted

Corrections