



to modified sentencing as an extraordinary risk crime. Between July 1, 2012, and June 30, 2013, there were 135 convictions of the crime of stalking. Of this number, 31 persons were sentenced to the Department of Corrections (DOC) and 6 used an interactive computer device for stalking. As of this writing, no information about the number of offenses that meet the criteria of HB14-1131 is known.

### **State Revenue**

Beginning in FY 2014-15, this bill is anticipated to increase state revenue by less than \$5,000 per year, credited to the Fines Collection Cash Fund in the Judicial Department. The fine penalty for a class 1 misdemeanor is \$500 to \$5,000 and the fine penalty for a class 2 misdemeanor is a fine of \$250 to \$1,000. Because the courts have the discretion of incarceration, imposing a fine, or both, the impact to state revenue cannot be determined.

### **State Expenditures**

Overall, this bill is expected to increase workload beginning in FY 2014-15 for the Judicial Department. Under the bill, the new crime of cyberbullying of a minor is created, which is anticipated to result in an increase in case filings for trial courts. In addition, the bill may result in workload increases for the probation division if persons are sentenced to supervision as part of the disposition. As of this writing, the fiscal note assumes that any such increases in workload will not require an increase in appropriations.

### **Local Government Impact**

This bill impacts local governments by creating the new basis for the crime of cyberbullying of a minor, which is either a class 1 or a class 2 misdemeanor. The penalty for a class 1 misdemeanor is 6 to 18 months in a county jail, a fine of \$500 to \$5,000, or both. The penalty for a class 2 misdemeanor is 3 to 12 months in a county jail, a fine of \$250 to \$1,000, or both. Because the courts have the discretion of incarceration or imposing a fine, the impact at the local level cannot be determined. The cost to house an offender in county jails varies from \$45 to \$50 per day in smaller rural jails to \$62 to \$65 per day for larger Denver-metro area jails. For the current fiscal year, the state reimburses county jails at a daily rate of \$51.45 to house state inmates. In addition, if cases are prosecuted in the City and County of Denver, revenue and workload for county courts and probation services will increase by a minimal amount.

### **Comparable Crime**

Pursuant to Section 2-2-322 (2.5), C.R.S., Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of the existing crime that creates a new factual basis for the offense. This bill creates the new crime of cyberbullying a minor. As of this writing, no information is known about the number of offenses that may occur under HB14-1131. As discussed in the Background section above, the crime is similar to stalking, for which there are 135 convictions per year.

**Effective Date**

The bill takes effect July 1, 2014, and applies to offenses committed on or after this date.

**State and Local Government Contacts**

Counties  
Municipalities

District Attorneys  
Public Safety

Judicial  
Sheriffs