

Colorado Legislative Council Staff Fiscal Note

**STATE AND LOCAL  
REVISED FISCAL IMPACT**

(replaces fiscal note dated January 31, 2014)

**Drafting Number:** LLS 14-0480  
**Prime Sponsor(s):** Rep. Gardner

**Date:** February 25, 2014  
**Bill Status:** House Appropriations  
**Fiscal Analyst:** Kerry White (303-866-3469)

**SHORT TITLE:** DEPUTY DISTRICT ATTORNEY COMPENSATION AND TRAINING

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
<b>State Revenue</b>		
<b>State Expenditures</b>		
General Fund	at least \$1,094,523	at least \$1,094,523
<b>FTE Position Change</b>		
<b>Appropriation Required:</b> \$1,094,523 - Multiple entities (FY 2014-15)		

\* This summary shows changes from current law under the bill for each fiscal year.

**Summary of Legislation**

This bill, **as amended by the House Judiciary Committee**, provides for cost sharing for salaries of deputy district attorneys (DDA) provided certain conditions are met. To be eligible for state moneys to fund DDA salaries, the county or counties within a particular judicial district must provide a minimum annual salary of \$55,608 per DDA.

For judicial districts with less than 225,000 residents that provide DDAs with the minimum salary, the state share of salary costs is 20 percent. For judicial districts with more than 225,000 residents that provide DDAs with the minimum salary, the state share of salary costs is 10 percent. Beginning in January 2016, and every fourth legislative session thereafter, the Judiciary committees of the General Assembly are to review the compensation of DDAs and make recommendations as appropriate. Moneys for salary increases are to be appropriated to the Department of Law for allocation to the appropriate judicial district.

The bill also appropriates \$350,000 per year to the Department of Law to be provided to the Colorado District Attorneys' Council (CDAC) to provide prosecution training, seminars, continuing education programs, and other prosecution-related services to its members.

**Background**

There are 22 judicial districts in Colorado. The 1st, 2nd, 8th, 17th, 18th, and 20th judicial districts provide salaries above the minimum amount. There are no entry level DDAs in the 7th judicial district. Table 1, below, shows the population and funding status of each judicial district.

<b>Table 1. Judicial District Information*</b>						
<b>Judicial District</b>	<b>District Population</b>	<b>Entry Level DDA Starting Salary</b>	<b>Number of Entry Level DDAs</b>	<b>Per DDA Salary Increase Required to Meet Minimum</b>	<b>Total Local Funds Required to Receive State Share</b>	<b>Percentage of State Share if Minimum Salary Met</b>
1	545,473	\$56,500	21	\$0	\$0	10 percent
2	620,917	\$66,865	22	\$0	\$0	10 percent
3	21,465	\$42,000	3	\$13,608	\$40,824	20 percent
4	660,680	\$51,000	43	\$4,608	\$198,144	10 percent
5	96,101	\$52,500	3	\$3,108	\$9,324	20 percent
6	64,673	\$51,075	1	\$4,533	\$4,533	20 percent
7	99,511	\$55,120	0	\$488	\$0	20 percent
8	306,675	\$56,000	8	\$0	\$0	10 percent
9	80,116	\$55,000	4	\$608	\$2,432	20 percent
10	160,933	\$43,104	7	\$12,504	\$87,528	20 percent
11	85,626	\$50,000	3	\$5,608	\$16,824	20 percent
12	46,436	\$48,000	4	\$7,608	\$30,432	20 percent
13	80,255	\$55,000	3	\$608	\$1,824	20 percent
14	51,150	\$50,000	6	\$5,608	\$33,648	20 percent
15	19,954	\$48,000	3	\$7,608	\$22,824	20 percent
16	64,500	\$54,300	5	\$1,308	\$6,540	20 percent
17	508,881	\$58,848	33	\$0	\$0	10 percent
18	905,563	\$57,000	32	\$0	\$0	10 percent
19	258,448	\$54,525	20	\$1,083	\$21,660	10 percent
20	300,383	\$57,372	10	\$0	\$0	10 percent
21	147,753	\$52,068	8	\$3,540	\$28,320	20 percent
22	27,455	\$50,500	4	\$5,108	\$20,432	20 percent

\* Source: Colorado District Attorneys' Council.

**State Expenditures**

Beginning in FY 2014-15, this bill increases state General Fund expenditures by at least \$1.1 million per year for the Department of Law. Additional costs may be incurred under the bill, conditional upon whether any or all of the remaining judicial districts take action to officially raise the minimum salary for DDAs.

**Assumptions.** The fiscal note assumes that any judicial district that currently pays the minimum salary will receive either 10 percent or 20 percent of actual salary costs (depending on the size of the judicial district) for all DDAs. For any judicial district that does not currently meet the minimum salary requirement, costs are assumed to be conditional. Conditional costs assume a judicial district would increase salaries to the minimum level prior to receiving a state match of either 10 percent or 20 percent. Table 2 shows the required and conditional costs under the bill.

<b>Table 2. Required and Conditional Costs under HB14-1144</b>				
<b>Judicial District</b>	<b>Number of Entry Level DDAs</b>	<b>Percentage of State Share if Minimum Salary Met</b>	<b>Required State Contribution</b>	<b>Conditional State Contribution</b>
1	21	10 percent	\$118,650	\$0
2	22	10 percent	\$147,103	\$0
3	3	20 percent	\$0	\$33,365
4	43	10 percent	\$0	\$239,114
5	3	20 percent	\$0	\$33,365
6	1	20 percent	\$0	\$11,122
7	0	20 percent	\$0	\$0
8	8	10 percent	\$44,800	\$0
9	4	20 percent	\$0	\$44,486
10	7	20 percent	\$0	\$77,851
11	3	20 percent	\$0	\$33,365
12	4	20 percent	\$0	\$44,486
13	3	20 percent	\$0	\$33,365
14	6	20 percent	\$0	\$66,730
15	3	20 percent	\$0	\$33,365
16	5	20 percent	\$0	\$55,608
17	33	10 percent	\$194,198	\$0
18	32	10 percent	\$182,400	\$0
19	20	10 percent	\$0	\$111,216
20	10	10 percent	\$57,372	\$0
21	8	20 percent	\$0	\$88,973
22	4	20 percent	\$0	\$44,486
CDAC	N/A	100 percent	\$350,000	\$0
<b>TOTAL</b>			<b>\$1,094,523</b>	<b>\$950,897</b>

### **Local Government Impact**

Overall, the local government impact varies by judicial district. For certain judicial districts, costs are reduced. In one judicial district, the fiscal impact depends on it hiring one or more DDAs. For other judicial districts, the official minimum salary and the local share must be increased in order to receive a state match. In some cases, the amount of the increase is minimal and more than offset by the receipt of state matching funds.

**Reductions in costs.** As shown in Table 2, above, for the 1st, 2nd, 8th, 17th, 18th, and 20th judicial districts, current costs will be reduced by a total of \$744,523.

**Conditional impact for hiring a DDA.** Because there are no DDAs in the 7th judicial district, this bill does not currently affect it. If the 7th judicial district opts to hire a DDA, the fiscal impact will depend on the minimum salary it sets. If it opts to hire someone at or above the suggested minimum salary, it will receive a 20 percent match from the state.

**Cost increases.** For several judicial districts, costs must first increase and the judicial district must officially adopt the minimum salary of \$55,608 for a DDA in order to be eligible for a state match. In many districts, the increase in local costs would be offset by an increase in state matching funds. Tables 1 and 2, above, show the amount of increased local contributions required to receive state matching funds.

### **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

### **State Appropriations**

For FY 2014-15, the Department of Law requires an appropriation of \$1,094,523 General Fund and allocated as follows:

- \$350,000 for the CDAC;
- \$118,650 for the 1st judicial district;
- \$147,103 for the 2nd judicial district;
- \$44,800 for the 8th judicial district;
- \$194,198 for the 17th judicial district;
- \$182,400 for the 18th judicial district; and
- \$57,372 for the 20th judicial district.

### **State and Local Government Contacts**

Counties  
Joint Budget Committee

District Attorneys  
Judicial

Governor's Office  
Legislative Council Staff