



Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 10-0261
Prime Sponsor(s): Sen. Tapia

Date: February 11, 2010
Bill Status: Senate Finance
Fiscal Analyst: Sara McPhee (303-866-4782)

TITLE: CONCERNING THE COLLECTION BY THE COLORADO BUREAU OF INVESTIGATION OF A SURCHARGE UPON EACH FEE THAT IT COLLECTS FOR THE PERFORMANCE OF A CRIMINAL HISTORY RECORD CHECK.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
Cash Funds		
Colorado Bureau of Investigation Identification Unit Cash Fund	\$1,782,551	\$1,782,551
State Expenditures		
General Fund	(\$1,635,441)	(\$1,635,441)
Cash Funds		
Colorado Bureau of Investigation Identification Unit Cash Fund	\$1,781,541	\$1,781,541
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2010-2011: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

The bill authorizes the Department of Public Safety (DPS) to collect a surcharge on the fees that it charges for background checks. This surcharge is to raise sufficient money for the DPS to cover the costs of processing all arrest, identification, and final discharge information on people arrested in Colorado. The surcharge cannot be larger than 65 percent of the fee.

State Revenue

The bill increases cash funds revenue by \$1,782,551 beginning in FY 2010-11. The DPS will assess a surcharge on background check fees. The fee impact is shown in Table 1.

Fee impact on individuals, families, or business. Section 2-2-322, C.R.S., requires legislative service agency review of measures which create or increase any fee collected by a state agency. The table below identifies the fee impact of this bill.

Table 1. Fee Impact on Individuals, Families or Business					
Type of Fee	Current Fee	Proposed Fee	Fee Change	Number Affected	Total Fee Impact
Name search (Internet)	\$6.85	\$9.05	\$2.20	313,173	\$688,981
Name search (Manual)	13.00	18.50	5.50	6,252	34,386
CO fingerprint search (non-flagged)	16.50	23.80	7.30	6,009	43,866
CO fingerprint search (flagged)	17.50	24.80	7.30	30,567	223,139
Federal fingerprint search (non-flagged)	38.50	47.75	9.25	163	1,508
Federal fingerprint search (flagged)	39.50	48.75	9.25	85,478	790,672
TOTAL					\$1,782,551

State Expenditures

In DPS, the bill decreases General Fund expenditures by \$1,635,441 beginning in FY 2010-11 and increases cash fund expenditures by \$1,781,541 beginning in FY 2010-11.

Department of Public Safety. The DPS currently spends \$1,635,441 General Fund processing fingerprints received from law enforcement agencies. The department receives about 265,000 arrest submissions annually. The bill does not change any of the substantive requirements concerning fingerprint processing; however, it does change the funding source by assessing a surcharge on individuals who require background checks. Beginning in FY 2010-11, the DPS will raise \$1,781,541 in surcharges. This covers both the direct costs and \$146,100 in indirect costs for processing these fingerprints.

State Appropriations

In FY 2010-11, the Department of Public Safety requires a General Fund reduction of \$1,635,441 and a cash funds appropriation of \$1,781,541 from the Colorado Bureau of Investigation Identification Unit Cash Fund.

Departments Contacted

Public Safety