


Colorado Legislative Council Staff Fiscal Note
FINAL
FISCAL NOTE

Drafting Number: LLS 12-0226
Prime Sponsor(s): Rep. Hamner
 Sen. Schwartz

Date: June 20, 2012
Bill Status: Signed into Law
Fiscal Analyst: Kerry White (303-866-3469)

TITLE: CONCERNING THE CRIME OF STALKING.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures	Increase - see State Expenditures section.	
FTE Position Change		
Effective Date: The bill was signed into law by the Governor and took effect May 11, 2012.		
Appropriation Summary for FY 2012-2013: None required.		
Local Government Impact: Increase - see Local Government Impact section.		

Summary of Legislation

This bill modifies the manner in which law enforcement agencies and the courts respond to charges of the crime of stalking. Specifically, the bill:

- requires the court to issue a protection order when bail is fixed, with the order's terms and the defendant's acknowledgment stated on the record;
- requires that sentences imposed for stalking that occur in connection with a violation of a court order, including a protection order, be served consecutively; and
- allows a defendant or prosecuting attorney to request a hearing to modify terms of a protection order issued in a stalking case.

State Expenditures

This bill will increase workload for the Judicial Department by a minimal amount. The bill allows the defendant or a prosecuting attorney to request a hearing to modify the terms of a protection order. Based on recent filings, this analysis assumes requests for hearings will be minimal and can be addressed within existing appropriations.

Local Government Impact

This bill may increase expenditures for local governments in two ways. First, by requiring that sentences imposed for stalking that occur in connection with a violation of a court order be served consecutively, offenders will increase their length of stay in county jail. 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 a daily rate of \$50.44 to house state inmates. It is assumed that the impact of this bill will be minimal. Second, the bill requires law enforcement agencies investigating the crime of stalking to arrest a suspect rather than issue a summons. To the extent that this occurs, workload will increase to arrest and process suspects by a minimal amount.

Departments Contacted

Corrections

Judicial