



Please vote YES on SB 15-89

State Fiscal Responsibility for Court Costs

Sponsor: Sen. Garcia/Rep. Vigil

Current statutory law requires county governments in Colorado to provide courtrooms and other court facilities for the state Judicial Department. This is despite that fact that the state court system is clearly and strictly a state government function, not a county function. In 1969 the General Assembly enacted changes to the statutory law indicating its intent to correct this unfunded mandate. Since then the Colorado Court of Appeals and the Supreme Court have recognized that expressed intent and anticipated the state's fiscal responsibility for providing and maintaining court facilities. But the courts have stated that the counties must await further action from the General Assembly to begin the transfer and end this ever-increasing unfunded mandate.

With the constantly escalating financial burdens being placed on county governments in the areas of child welfare, adult protective services, elections, road and bridge construction, and disaster recovery, many counties are struggling to keep pace with the fiscal responsibility to provide adequate court facilities. This pressure is especially acute in the more rural and economically depressed areas of the state.

SB 89 recognizes the state's financial responsibility, and begins to rectify the situation by establishing a phased-in system wherein the state will pay each county an annual graduated rental payment for the use of its courtroom and court facilities. The bill also specifies that after the state has assumed full financial responsibility for a court facility, it may negotiate with the county to acquire the facility.

CCI strongly urges your support of this important step in establishing state fiscal accountability for taking care of its own state governmental agency and ending this unfair unfunded mandate placed upon the taxpayers of our respective counties.

CCI asks for your YES vote on SB 15-89

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