



JBC Staff Comeback

Public Safety

JBC Staff: Michelle Curry, (303-866-2062)
Date: March 12, 2026

Motor Carrier Safety Fund Clarification

Recommendation

Staff recommends refinancing only \$500,000 of HUTF with cash funds from the Motor Carrier Safety Fund. This is due to updated information regarding revenue that may be deposited in the fund if legislation that has been approved for draft is adopted.

Analysis

During the Department's figure setting presentation, the Committee approved drafting legislation that would increase revenue to the Motor Carrier Safety Fund without increasing fees. Since that presentation, staff has become aware of the following details.

- Fines for non-compliance are deposited to the Highway User's Tax Fund¹.** During the presentation, staff wrongfully stated that these fines were being deposited to the Motor Carrier Fund in the PUC. The Department of Revenue has indicated the fines assessed on motor carriers is grouped with other penalty assessments and sent to the HUTF in a lump sum. Staff assumes that separation of this particular fee would not be worth the additional revenue to the Motor Carrier Safety Fund as compared to the extra workload, but the Committee could include it in the approved draft.
- Revenue to the Motor Carrier Fund from fees will likely not reach the cost of regulation enforcement.** During the presentation, the Committee approved legislation that would allow any unexpended balance in the Motor Carrier Fund to spill over to the Motor Carrier Safety Fund. Based on the 2025-26 appropriation from the fund, the maximum uncommitted reserve for the Motor Carrier Fund would be \$466,573. Recent projections for the fund predict an uncommitted reserve of approximately \$300,000.

¹ Section 42-4-235 (2(a), C.R.S.

As a result, if the Committee prefers to not raise fees, Staff recommends refinancing only \$500,000 of HUTF with the Motor Carrier Safety fund. Staff believes that this level of refinance will likely be sustainable for at least two years if legislation that has been sent to draft is adopted.

R1 Backfill Federal Funding for DHSEM

Recommendation

Staff recommends an increase related to the Department’s R1 – Backfill Federal Funds for DHSEM.

Year 1: an increase of \$370,397

Year 2: an increase of \$914,679

This recommendation is a result of the Department identifying an error in staff calculations.

Adjustment to Staff Recommendation and Committee Action

After the Department of Public Safety’s figure setting presentation, the Department identified errors in staff calculations related to the R1 recommendation. Staff had intended to recommend the full cost of maintaining staffing that existed at the time of the request. Staff inadvertently excluded the employer cost of PERA and FICA payments as well as indirect costs in the outyear. The table below shows the impact of these additions.

Updates to Staff Recommendation for R1 Funding

	Year 1			Year 2		
	Personal Services	Indirect Costs	Operating Expenses	Personal Services	Indirect Costs	Operating Expenses
Staff figure setting recommendation	\$2,833,949	\$460,717	\$817,169	\$3,360,633	\$0	\$981,667
Staff recommended change	370,397	0	0	439,235	475,444	0
Total Recommended Appropriation	\$3,204,346	\$460,717	\$817,169	\$3,799,868	\$475,444	\$981,667

The total cost of including these adjustments is \$370,397 in FY 2026-27 and \$914,679 in Year 2.

Requested Information Regarding DHSEM Staffing

During the Department’s figure setting presentation, the Committee asked about FTE levels in DHSEM. The Department supplied the following information.

Division of Homeland Security and Emergency Management FTE by Fund Source

Fiscal Year	General Fund	Cash Fund	Reapprop. Fund	Federal Funds	Total	Total (no DTRS)	YoY % Increase (excl. DTRS)	Notes
2019-20	44.3	18.9	0.5	36.9	100.7	100.7	-	R-01 Sustain State Emergency Management Program. Shift of funding from Federal Funding to General Fund for the EMPG match.

Fiscal Year	General Fund	Cash Fund	Reapprop. Fund	Federal Funds	Total	Total (no DTRS)	YoY % Increase (excl. DTRS)	Notes
2020-21	44.0	20.3	0.5	40.4	105.2	105.2	4.5%	R03 State Recovery Section 1.0 FTE. Short term COVID Funding FTE.
2021-22	60.0	13.1	0.6	35.6	109.3	109.3	3.9%	S-02, BA-01 State Personal Protective Equipment and Stockpile, (Net neutral transfer from DHS to DPS resulting in an increase of 5.0 FTE to DPS). SB21-166 CO Fire Commission Recommendations (1.0)
2022-23	66.5	7.7	0.6	43.2	118.0	118.0	8.0%	R-06 State Emergency Operations Funding (5.0 FTE) & R-03 State Recovery Section Funding (3.0 FTE) R-11 Cyber Security Program (3.0 FTE)
2023-24	68.0	5.7	45.2	39.3	158.2	113.6	-3.7%	HB 22-1353 Public Communications Transfer from OIT to CDPS (shown in RF), R-07 Expand Resources to Identify Domestic Extremist Threats, SB23-170 Extreme Risk Protection Order Petitions (3.0 FTE), R-13 Support for Local Emergency Alert Systems (1.0 FTE), R-07 Expand Resources to Identify Domestic Extremist Threats (2.0 FTE)
2024-25	71.6	6.9	49.1	39.7	167.3	122.7	8.0%	R-07 Colorado Nonprofit Security Grant Program Funding (1.0 FTE), R-08 Resources to Strengthen Disaster Recovery (6.5 FTE)

S15 DHSEM Administrative Overhead

Recommendation

Staff recommends that the committee approve an appropriation of \$1.3 million total funds including \$1.0 million General Fund to the new line item DHSEM Administrative Overhead within the Office of Emergency Management in the Division of Homeland Security and Emergency Management.

Additional Details

Staff recommendation included a new line item within the Division of Homeland Security and Emergency Management to capture costs associated with division director overhead. The Committee laid over this decision pending more information from the Department regarding the use of funds.

The Department has indicated that the recommendation of \$1.3 million would support the Division Director's Office. This includes the personal services costs for 10.0 FTE. These FTE include: Division Director, Deputy Director, Strategic Communications Director, and support staff for each office within the Division.

The Department further describes that the role of the Director's Office includes:

- Coordination of the Homeland Security All Hazards Senior Advisory Committee;
- Development of the Colorado Homeland Security and Emergency Management Strategy;
- Management of the Emergency Management Accreditation Program; and
- Division-wide strategic communications.