

cPa DIXON, WALLER & CO., INC.

THE THIRD JUDICIAL DISTRICT

OFFICE OF THE DISTRICT ATTORNEY

TRINIDAD, COLORADO

FINANCIAL STATEMENTS

YEAR ENDED DECEMBER 31, 2022

DIXON, WALLER & CO., INC.

TABLE OF CONTENTS

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
FINANCIAL STATEMENTS
YEAR ENDED DECEMBER 31, 2022

	<u>Page</u>
Title Page	
Table of Contents	
<u>FINANCIAL SECTION</u>	
Independent Auditor’s Report.....	1-2
<u>BASIC FINANCIAL STATEMENTS:</u>	
Government Wide Financial Statements:	
Statement of Net Position.....	3
Statement of Activities	4
Fund Financial Statements:	
Balance Sheet – Governmental Funds	5
Reconciliation of Governmental Funds Balance Sheet to Statement of Net Position ..	6
Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds	7
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities	8
Notes to Basic Financial Statements	9-36

REQUIRED SUPPLEMENTARY INFORMATION:

Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget and Actual – Major Governmental Funds:

General Fund..... 37

Pension Trend Data:

Schedule of the District’s Proportionate Share of the Net Pension Liability 38

Schedule of District Contributions 39

OPEB Trend Data:

Schedule of Proportionate Share of Post Employment Benefit Liability..... 40

Schedule of District Contributions – OPEB..... 41

COMBINING AND INDIVIDUAL FUND STATEMENTS AND OTHER SCHEDULES:

Combining Balance Sheet – Nonmajor Governmental Funds..... 42

Combining Statement of Revenues, Expenditures and Changes in Fund Balances – Nonmajor Governmental Funds..... 43

Schedules of Revenues, Expenditures and Changes in Fund Balances – Budget (GAAP Basis) and Actual:

VALE – Special Revenue Fund..... 44

Victims Assistance – Special Revenue Fund 45

FINANCIAL SECTION

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INDEPENDENT AUDITOR'S REPORT

Henry Solano
District Attorney
Third Judicial District –
Office of the District Attorney
Trinidad, CO 81082

Opinions

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Third Judicial District - Office of the District Attorney, as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the Third Judicial District - Office of the District Attorney's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Third Judicial District - Office of the District Attorney, as of December 31, 2022, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Third Judicial District - Office of the District Attorney, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Third Judicial District - Office of the District Attorney's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Third Judicial District - Office of the District Attorney's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Third Judicial District - Office of the District Attorney's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the budgetary comparison information and pension trend data be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has not presented the management's discussion and analysis that governmental accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Third Judicial District – Office of the District Attorney's basic financial statements. The combining and individual nonmajor fund financial statements and other schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and other schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.



Trinidad, Colorado
June 2, 2023

BASIC FINANCIAL STATEMENTS

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
STATEMENT OF NET POSITION
December 31, 2022

	<u>Governmental Activities</u>	<u>Total</u>
<u>ASSETS</u>		
Cash	513,262	513,262
Accounts and Grants Receivable	38,238	38,238
Capital Assets	32,920	32,920
Accumulated Depreciation	(14,109)	(14,109)
Prepays	11,599	11,599
<u>Total Assets</u>	<u>581,910</u>	<u>581,910</u>
 <u>DEFERRED OUTFLOWS OF RESOURCES</u>		
Pensions	48,023	48,023
Other Post Employment Benefits	2,201	2,201
<u>Total Deferred Outflows of Resources</u>	<u>50,224</u>	<u>50,224</u>
 <u>LIABILITIES</u>		
Accounts Payable	5,035	5,035
Compensated Absences	31,614	31,614
Other Liabilities	-	-
Net Pension Liability	259,010	259,010
Net Post Employment Benefits Liability	11,711	11,711
<u>Total Liabilities</u>	<u>307,370</u>	<u>307,370</u>
 <u>DEFERRED INFLOW OF RESOURCES</u>		
Pensions	119,240	119,240
Other Post Employment Benefits	6,467	6,467
<u>Total Deferred Inflows of Resources</u>	<u>125,707</u>	<u>125,707</u>
 <u>NET POSITION</u>		
Net Investment in Capital Assets	18,811	18,811
Restricted for:		
Tabor Reserve	57,800	57,800
Unrestricted	122,446	122,446
<u>TOTAL NET POSITION</u>	<u>199,057</u>	<u>199,057</u>

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
STATEMENT OF ACTIVITIES
Year Ended December 31, 2022

<u>Functions/Programs</u>	<u>Expenses</u>	<u>Program Revenues</u>			<u>Net (Expense) Revenue and Changes in Net Position</u>
		<u>Charges for Services</u>	<u>Operating Grants & Contributions</u>	<u>Capital Grants & Contributions</u>	<u>Governmental Activities</u>
<u>Governmental Activities</u>					
Public Welfare & Safety	1,651,220	3,330	173,024	-	(1,474,866)
Pension and Other Post Employment Benefit Cost	(49,157)	-	-	-	49,157
<u>Total Governmental Activities</u>	<u>1,602,063</u>	<u>3,330</u>	<u>173,024</u>	<u>-</u>	<u>(1,425,709)</u>
<u>Total Primary Government</u>	<u>1,602,063</u>	<u>3,330</u>	<u>173,024</u>	<u>-</u>	<u>(1,425,709)</u>
		<u>General Revenues</u>			
					1,620,948
					127,530
					9,548
					<u>1,758,026</u>
					<u>Change in Net Position</u>
					332,317
					<u>Net Position – Beginning</u>
					(133,260)
					<u>Net Position – Ending</u>
					199,057

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
BALANCE SHEET
GOVERNMENTAL FUNDS
December 31, 2022

	<u>General</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Funds</u>
<u>ASSETS:</u>			
Cash	501,831	11,431	513,262
Receivables:			
Grants	37,469	-	37,469
Accounts	-	769	769
Due From Other Funds	-	734	734
Prepays	<u>11,599</u>	<u>-</u>	<u>11,599</u>
<u>Total Assets</u>	<u>550,899</u>	<u>12,934</u>	<u>563,833</u>
 <u>LIABILITIES AND FUND BALANCES:</u>			
<u>Liabilities:</u>			
Accounts Payable	5,035	-	5,035
Due To Other Funds	<u>734</u>	<u>-</u>	<u>734</u>
<u>Total Liabilities</u>	<u>5,769</u>	<u>-</u>	<u>5,769</u>
 <u>Fund Balances:</u>			
Nonspendable:			
Prepays	11,599	-	11,599
Restricted:			
Emergency Reserve	57,800	-	57,800
Assigned:			
Victims Assistance and Program Administration	-	12,934	12,934
Unassigned	<u>475,731</u>	<u>-</u>	<u>475,731</u>
<u>Total Fund Balances</u>	<u>545,130</u>	<u>12,934</u>	<u>558,064</u>
<u>TOTAL LIABILITIES AND FUND BALANCES</u>	<u>550,899</u>	<u>12,934</u>	<u>563,833</u>

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
December 31, 2022

Amounts reported for governmental activities in the statement of net position are different because:

<u>Total Fund Balance – Governmental Funds</u>	558,064
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds. The cost of the assets is \$32,920 and the accumulated depreciation is \$14,109.	18,811
The liability for accrued compensated absences is not recorded at the fund level.	(31,614)
Net pension and other post employment benefits liabilities, along with associated deferred flows, are not recorded at the fund level:	
Net Pension Liability	(259,010)
Net Other Post Employment Benefits Liability	(11,711)
Deferred Outflows	50,224
Deferred Inflows	<u>(125,707)</u>
<u>Total Net Position – Governmental Activities</u>	<u>199,057</u>

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
Year Ended December 31, 2022

	<u>General</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Fund</u>
<u>REVENUES:</u>			
Intergovernmental:			
Local	1,620,948	-	1,620,948
State	127,530	-	127,530
Grants	164,272	-	164,272
Fees and Other Revenue	12,878	8,752	21,630
Settlements	-	-	-
<u>Total Revenues</u>	<u>1,925,628</u>	<u>8,752</u>	<u>1,934,380</u>
<u>EXPENDITURES:</u>			
Payroll and Benefits	1,458,143	5,800	1,463,943
Administration	155,852	953	156,805
Equipment Leases	7,013	-	7,013
Compensation Payments	-	-	-
Capital Outlay	14,882	-	14,882
Other Direct Cost	2,059	-	2,059
<u>Total Expenditures</u>	<u>1,637,949</u>	<u>6,753</u>	<u>1,644,702</u>
<u>EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES</u>	<u>287,679</u>	<u>1,999</u>	<u>289,678</u>
<u>OTHER FINANCING SOURCES (USES)</u>			
Transfers	-	-	-
<u>Total Other Financing Sources (Uses)</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>NET CHANGE IN FUND BALANCES</u>	<u>287,679</u>	<u>1,999</u>	<u>289,678</u>
<u>FUND BALANCE – Beginning</u>	<u>257,451</u>	<u>10,935</u>	<u>268,386</u>
<u>FUND BALANCE – Ending</u>	<u>545,130</u>	<u>12,934</u>	<u>558,064</u>

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN
 FUND BALANCES OF GOVERNMENT FUNDS TO THE STATEMENT OF ACTIVITIES
 Year Ended December 31, 2022

Amounts reported for governmental activities in the statement of activities are different because:

<u>Net Change in Fund Balances – Total Governmental Funds</u>	289,678
<p>Governmental funds report capital outlays as expenditures. However, in the statement of activities, assets with an initial, individual cost of more than \$5,000 are capitalized and the cost is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which depreciation exceeded capital outlays in the current period.</p>	
Capital outlays more than \$5,000	-
Depreciation expense	<u>4,703</u>
	(4,703)
<p>The liability for accrued compensated absences is not recorded in the fund financial statements. This is the change in the liability for the current year.</p>	
	(1,815)
<p>The increase or decrease in net pension and other post employment benefits liabilities, along with the changes and amortizations of deferred flows associated with those liabilities are not recorded at the fund level:</p>	
Pension Cost	48,015
Other Post Employment Benefits Cost	<u>1,142</u>
<u>Change in Net Position - Governmental Activities</u>	<u>332,317</u>

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Third Judicial District Office of the District Attorney operates under Colorado State Statutes and includes Las Animas and Huerfano Counties. The Office of the District Attorney is an elected position and provides prosecutorial and public safety services to the District as authorized by State Statutes.

The Office of the District Attorney is located in the Las Animas County Courthouse. Certain medical and retirement benefits provided by the County to its employees are made available to the Office of the District Attorney's employees as well. Administrative expenditures are generally funded by Las Animas and Huerfano Counties.

The financial statements of the Office of the District Attorney are presented in accordance with generally accepted accounting principles applicable to governmental units. The following is a summary of such policies.

A. Reporting Entity

Governmental Accounting Standards Board (GASB) Statement No. 14, (as amended by Statements No.34, No. 39 and No.61) "*The Financial Reporting Entity*" (GASB No. 14) describes the financial reporting entity as it relates to governmental accounting. According to this Statement, the financial reporting entity consists of a) the primary government, b) organizations for which the primary government is financially accountable, and c) other organizations whose exclusion from the reporting entity's financial statements would cause those statements to be misleading or incomplete. Any organizations that can be described by these last two items are included with the primary government in the financial statements as component units.

This District is not included in any other governmental "reporting entity" as defined in GASB No. 14 and does not include any other component unit as part of its "reporting entity". As required by accounting principles generally accepted in the USA, these basis financial statements present the District (the primary government) and its component units.

B. Deferred Outflows / Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of financial position and governmental balance sheets will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

C. Government – Wide and Fund Financial Statements

The government-wide financial statements (i.e. the statement of net position and the statement of activities) report information on all the nonfiduciary activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support. Likewise, the *primary government* is reported separately from the District’s legally separate *component units* for which the District is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function or identifiable activity are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or identifiable activity. *Program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

D. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*, as are the proprietary fund and fiduciary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, fees, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the government.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

D. Measurement Focus, Basis of Accounting, and Financial Statement Presentation (continued)

As a general rule the effect of interfund activity has been eliminated from the government-wide financial statements.

Amounts reported as *program revenues* included 1) charges to customers or applicants for goods, services or privileges provided 2) operating rents and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as *general revenues* rather than as program revenues. Likewise, general revenues include all taxes.

Proprietary funds distinguish *operating revenues* and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the utility enterprise funds are charges to customers for sales and services. The enterprise funds also recognize as operating revenues the portion of tap fees intended to recover the cost of connecting new customers to the system. Operating expenses for the enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources, as they are needed.

E. Fund Accounting

The accounts of the District are organized on the basis of funds, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures, or expenses, as appropriate. Resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. The major funds presented in the accompanying basic financial statements are as follows:

The *General Fund* is the District's primary operating fund. It accounts for all financial resources of general government.

The District reports the following Non-Major Governmental Funds:

VALE – this fund accounts for proceeds used for program administrative purposes.

Victims Assistance – this fund accounts for payments made based on agreed settlements for victims of crime.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

F. Capital Assets

Capital assets, which include property, vehicles and equipment, are utilized for general District operations and are capitalized at actual or estimated cost. Donations of such assets are recorded at estimated fair value at the time of donation. Capital assets are reported in the applicable governmental column in the government-wide financial statements.

Maintenance, repairs, and minor renovations are recorded as expenditures when incurred. Major additions and improvements are capitalized. When assets used in the operation of the governmental fund types are sold, the proceeds of the sale are recorded as revenues in the appropriate fund. The District does not capitalize interest on the construction of capital assets in governmental funds.

The monetary threshold for capitalization of assets is \$5,000. The District's capital assets are depreciated using the straight-line method over the estimated useful lives of the fixed assets. Depreciation of all capital assets is charged as an expense against their operations. Depreciation is recorded in the year of acquisition.

G. Budgets and Budgetary Accounting

The District has set procedures to be followed in establishing the budgetary data reflected in the financial statements.

1. Prior to October 1, the Office Manager submits to the District Attorney a proposed operating budget for the fiscal year commencing the following January 1. The operating budget includes proposed expenditures and the means of financing them.
2. The Office Manager is authorized to transfer budgeted amounts between categories within any fund; however, and revisions that alter the total expenditures of any fund must be approved by the District Attorney.
3. Formal budgetary integration should be employed as a management control device during the year.
4. The budgets are on a GAAP basis.
5. A budget was adopted for the General Fund. Budgets were also adopted for the VALE and Victims Assistance Fund for December 31, 2022.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

H. Accrued Compensated Absences

From 12 to 24 days of vacation leave per year may be accrued by each employee depending on length of continuous service. Employees are paid for unused vacation time at termination at their rate of pay immediately prior to termination. 80 hours of accrued annual leave may be carried over at year end.

Employees may accumulate sick leave but are not paid for unused portions upon termination.

The change in the liability for accrued but unpaid annual leave follows:

<u>Balance at 12/31/21</u>	<u>Increase</u>	<u>Decrease</u>	<u>Balance at 12/31/22</u>
<u>29,799</u>	<u>1,815</u>	<u> -</u>	<u>31,614</u>

I. Reserves

Article X, Section 20 of the Constitution of the State of Colorado requires the District Attorney to establish Emergency Reserves (see Note 7). \$57,800 of the fund balance has been reserved in compliance with this requirement.

J. Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expense during the reporting period. Actual results could differ from those estimates.

K. Cash and Investments

The District’s cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition.

State statutes authorize the District to deposit in the accounts of federally insured banks, credit unions, and savings and loan associations, and to invest in obligations of the U.S. Treasury, certain commercial paper, repurchase agreements, banker’s acceptances, and mutual funds composed of otherwise legal investments.

L. GASB Statement No. 54

The Government Accounting Standards Board (GASB) has issued Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions (GASB 54). This statement defines the different types of fund balances that a governmental entity must use for financial reporting purposes.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

L. GASB Statement No. 54 (Continued)

GASB 54 requires the fund balance amounts to be properly reported within one of the fund balance categories list below.

1. Nonspendable such as fund balances associated with inventories, prepaids, long-term loans and notes receivable, and property held for resale (unless the proceeds are restricted, committed, or assigned).
2. Restricted fund balance category includes amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers, or through enabling legislation.
3. Committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the District Attorney (the District's highest level of decision-making authority).
4. Assigned fund balance classification is intended to be used by the government for specific purposes that do not meet the criteria to be classified as restricted or committed.
5. Unassigned fund balance is the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications.

Fund Balance Classification Policies and Procedures

Committed Fund Balance Policy:

The District's Committed Fund Balance is fund balance reporting required by the District Attorney, either because of a Policy in the Policy Manual, or because of specific fund requirements.

Assigned Fund Balance Policy:

The District's Assigned Fund Balance is fund balance reporting occurring by District authority.

Order of Fund Balance Spending Policy

The District's policy is to apply expenditures against non-spendable fund balance, restricted fund balance, committed fund balance, assigned fund balance, and unassigned fund balance at the end of the fiscal year by adjusting journal entries.

First, non-spendable fund balances are determined. Then restricted fund balances for specific purposes are determined (not including non-spendable amounts). Then unrestricted fund balances are determined following the order of committed, assigned, and unassigned.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

L. GASB Statement No. 54 (Continued)

Order of Fund Balance Spending Policy (Continued)

Fund Balance Classification by Fund:

	<u>General Fund</u>	<u>VALE Fund</u>	<u>Victims Assistance Fund</u>	<u>Total</u>
Nonspendable	11,599	-	-	11,599
Restricted:				
Emergencies	57,800	-	-	57,800
Assigned:				
Victims Assistance and Administration	-	10,750	2,184	12,934
Unassigned	<u>475,731</u>	<u>-</u>	<u>-</u>	<u>475,731</u>
<u>Total Fund Balances</u>	<u>545,130</u>	<u>10,750</u>	<u>2,184</u>	<u>558,064</u>

M. Recently Adopted Accounting Pronouncements

In June of 2017, the Governmental Accounting Standards Board issued Statement No. 87, Leases. The original effective date was for reporting periods beginning after December 15, 2019 but was extended to periods beginning after June 15, 2021.

On January 1, 2022 the District implemented the statement for leases. The District will comply on all leases that are individually or aggregately material to the financial statements.

NOTE 2 CAPITAL ASSETS

A summary of changes in capital assets is as follows:

Governmental Activities

	<u>Balance January 1, 2022</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance December 31, 2022</u>
<u>Depreciable Assets:</u>				
Vehicles	<u>32,920</u>	<u>-</u>	<u>-</u>	<u>32,920</u>
<u>Total Depreciable Assets</u>	<u>32,920</u>	<u>-</u>	<u>-</u>	<u>32,920</u>
<u>Less Accumulated Depreciation for:</u>				
Vehicles	<u>9,406</u>	<u>4,703</u>	<u>-</u>	<u>14,109</u>
<u>Total Accumulated Depreciation</u>	<u>9,406</u>	<u>4,703</u>	<u>-</u>	<u>14,109</u>
<u>Total Capital Assets, Net</u>	<u>23,514</u>	<u>4,703</u>	<u>-</u>	<u>18,811</u>

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 2 CAPITAL ASSETS (Continued)

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental Activities:

Public Welfare and Safety	4,703
<u>Total Depreciation Expense –Governmental Activities</u>	<u>4,703</u>

NOTE 3 RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

The governmental funds balance sheet includes reconciliation between *fund balances – total governmental funds* and *net position – governmental activities* as reported in the government-wide statement of net position. Additionally, the governmental fund statement of revenues, expenditures, and changes in fund balances includes reconciliation between *net change in fund balances – total government funds* and *changes in net position of governmental activities* as reported in the government-wide statement of activities.

These reconciliations detail items that require adjustment to convert from the current resources measurement and modified accrual basis for governmental fund statements to the economic resources measurement and full accrual basis used for government-wide statements.

Certain items having no effect on measurement and basis were eliminated from the government fund statements during the consolidation of governmental activities. Items eliminated for 2022 follow:

	<u>Due To</u>	<u>Due From</u>
General Fund	734	-
VALE Fund	<u>-</u>	<u>734</u>
	<u>734</u>	<u>734</u>

NOTE 4 ACCOUNTS RECEIVABLE

The following is a schedule of accounts receivable at December 31, 2022:

General Fund – VOCA Grant	18,797
Juvenile Diversion Grant	18,048
Other	<u>624</u>
	<u>37,469</u>
VALE Fund - Other	<u>769</u>

NOTE 5 INTERGOVERNMENTAL AGREEMENTS

The Judicial District has an intergovernmental agreement with Las Animas and Huerfano Counties to provide District Attorney services to the bi-county area. The counties provide funding for the general operation of the Judicial District.

NOTE 6 DEFINED BENEFIT PENSION PLAN

Summary of Significant Accounting Policies

Pensions. The Third Judicial District – Office of the District Attorney participates in the State Division Trust Fund (SDTF), a cost-sharing multiple-employer defined benefit pension plan administered by the Public Employees’ Retirement Association of Colorado (“PERA”). The net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, pension expense, information about the fiduciary net position (FNP) and additions to/deductions from the FNP of the SDTF have been determined using the economic resources measurement focus and the accrual basis of accounting. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

General Information about the Pension Plan

Plan description. Eligible employees of the Third Judicial District – Office of the District Attorney are provided with pensions through the SDTF—a cost-sharing multiple-employer defined benefit pension plan administered by PERA. Plan benefits are specified in Title 24, Article 51 of the Colorado Revised Statutes (C.R.S.), administrative rules set forth at 8 C.C.R. 1502-1, and applicable provisions of the federal Internal Revenue Code. Colorado State law provisions may be amended from time to time by the Colorado General Assembly. PERA issues a publicly available annual comprehensive financial report (ACFR) that can be obtained at www.copera.org/investments/pera-financial-reports.

Benefits provided as of December 31, 2021. PERA provides retirement, disability, and survivor benefits. Retirement benefits are determined by the amount of service credit earned and/or purchased, highest average salary, the benefit structure(s) under which the member retires, the benefit option selected at retirement, and age at retirement. Retirement eligibility is specified in tables set forth at C.R.S. § 24-51-602, 604, 1713, and 1714.

The lifetime retirement benefit for all eligible retiring employees under the PERA benefit structure is the greater of the:

- Highest average salary multiplied by 2.5 percent and then multiplied by years of service credit.
- The value of the retiring employee’s member contribution account plus a 100% match on eligible amounts as of the retirement date. This amount is then annuitized into a monthly benefit based on life expectancy and other actuarial factors.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 6 DEFINED BENEFIT PENSION PLAN (Continued)

The lifetime retirement benefit for all eligible retiring employees under the Denver Public Schools (DPS) benefit structure is the greater of the:

- Highest average salary multiplied by 2.5% and then multiplied by years of service credit.
- \$15 times the first 10 years of service credit plus \$20 times service credit over 10 years plus a monthly amount equal to the annuitized member contribution account balance based on life expectancy and other actuarial factors.

In all cases the service retirement benefit is limited to 100% of highest average salary and also cannot exceed the maximum benefit allowed by federal Internal Revenue Code.

Members may elect to withdraw their member contribution accounts upon termination of employment with all PERA employers; waiving rights to any lifetime retirement benefits earned. If eligible, the member may receive a match of either 50% or 100% on eligible amounts depending on when contributions were remitted to PERA, the date employment was terminated, whether 5 years of service credit has been obtained and the benefit structure under which contributions were made.

Upon meeting certain criteria, benefit recipients who elect to receive a lifetime retirement benefit generally receive post-retirement cost-of-living adjustments, referred to as annual increases in the C.R.S. Subject to the automatic adjustment provision (AAP) under C.R.S. § 24-51-413, eligible benefit recipients under the PERA benefit structure who began membership before January 1, 2007, and all eligible benefit recipients of the DPS benefit structure will receive the maximum annual increase (AI) or AI cap of 1.00% unless adjusted by the AAP. Eligible benefit recipients under the PERA benefit structure who began membership on or after January 1, 2007, will receive the lesser of an annual increase of the 1.00% AI cap or the average increase of the Consumer Price Index for Urban Wage Earners and Clerical Workers for the prior calendar year, not to exceed a determined increase that would exhaust 10% of PERA's Annual Increase Reserve (AIR) for the SDTF. The AAP may raise or lower the aforementioned AI cap by up to 0.25% based on the parameters specified in C.R.S. § 24-51-413.

Disability benefits are available for eligible employees once they reach five years of earned service credit and are determined to meet the definition of disability. For State Troopers whose disability is caused by an on-the-job injury, the five-year service requirement is waived and they are immediately eligible to apply for disability benefits. The disability benefit amount is based on the lifetime retirement benefit formula(s) shown above considering a minimum 20 years of service credit, if deemed disabled.

Survivor benefits are determined by several factors, which include the amount of earned service credit, highest average salary of the deceased, the benefit structure(s) under which service credit was obtained, and the qualified survivor(s) who will receive the benefits.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 6 DEFINED BENEFIT PENSION PLAN (Continued)

Contributions provisions as of December 31, 2022: Eligible employees of, the Third Judicial District – Office of the District Attorney and the State are required to contribute to the SDTF at a rate set by Colorado statute. The contribution requirements for the SDTF are established under C.R.S. § 24-51-401, *et seq.* and § 24-51-413. Employee contribution rates for the period of January 1, 2022 through December 31, 2022 are summarized in the table below:

	July 1, 2021 Through June 30, 2021	July 1, 2021 Through December 31, 2021	January 1, 2022 Through June 30, 2022	July 1, 2022 Through December 31, 2022
Employee contribution (all employees other than State Troopers)	10.00%	10.50%	10.50%	11.00%
State Troopers	12.00%	12.50%	12.50%	13.00%

**Contribution rates for the SDTF are expressed as a percentage of salary as defined in C.R.S. § 24-51-101 (42).

The employer contribution requirements for all employees other than State Troopers are summarized in the table below:

	January 1, 2021 Through June 30, 2021	July 1, 2021 Through December 31, 2021	January 1, 2022 Through June 30, 2022	July 1, 2022 Through December 31, 2022
Employer contribution rate	10.90%	10.90%	10.90%	11.40%
Amount of employer contribution apportioned to the Health Care Trust Fund as specified in C.R.S. § 24-51-208(1)(f)	(1.02)%	(1.02)%	(1.02)%	(1.02)%
Amount apportioned to the SDTF	9.88%	9.88%	9.88%	10.38%
Amortization Equalization Disbursement (AED) as specified in C.R.S. § 24-51-411	5.00%	5.00%	5.00%	5.00%
Supplemental Amortization Equalization Disbursement (SAED) as specified in C.R.S. § 24-51-411	5.00%	5.00%	5.00%	5.00%
Defined Contribution Supplement as Specified in C.R.S. § 24-51-415	0.05%	0.05%	0.10%	0.10%
Total employer contribution rate to the SDTF	19.93%	19.93%	19.98%	20.48%

**Contribution rates for the SDTF are expressed as a percentage of salary as defined in C.R.S. § 24-51-101 (42).

Employer contributions are recognized by the SDTF in the period in which the compensation becomes payable to the member and the Third Judicial District - Office of the District Attorney is statutorily committed to pay the contributions to the SDTF. Employer contributions recognized by the SDTF from the Third Judicial District-Office of the District Attorney were \$26,299 for the year ended December 31, 2022.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS

December 31, 2022

NOTE 6 DEFINED BENEFIT PENSION PLAN (Continued)

For purposes of GASB 68 paragraph 15, a circumstance exists in which a nonemployer contributing entity is legally responsible for making contributions to the SDTF and is considered to meet the definition of a special funding situation. As specified in C.R.S. § 24-51-414, the State is required to contribute \$225 million (actual dollars) direct distribution each year to PERA starting on July 1, 2018. A portion of the direct distribution payment is allocated to the SDTF based on the proportionate amount of annual payroll of the SDTF to the total annual payroll of the SDTF, School Division Trust Fund, Judicial Division Trust Fund, and Denver Public Schools Division Trust Fund. In addition to the \$225 million (actual dollars) direct distribution due July 1, 2022, House Bill (HB) 22-1029, instructs the State treasurer to issue a warrant to PERA in the amount of \$380 million (actual dollars), upon enactment, with reductions to future direct distributions scheduled to occur July 1, 2023, and July 1, 2024.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

The net pension liability for the SDTF was measured as of December 31, 2021, and the total pension liability (TPL) used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2020. Standard update procedures were used to roll-forward the TPL to December 31, 2021. The Third Judicial District - Office of the District Attorney proportion of the net pension liability was based on the Third Judicial District - Office of the District Attorney contributions to the SDTF for the calendar year 2021 relative to the total contributions of participating employers and the State as a nonemployer contributing entity for participating employers of the SDTF that are outside of the State’s financial reporting entity.

At December 31, 2022, the Third Judicial District - Office of the District Attorney reported a liability of \$259,010 for its proportionate share of the net pension liability that reflected a reduction for support from the State as a nonemployer contributing entity. The amount recognized by the Third Judicial District - Office of the District Attorney as its proportionate share of the net pension liability, the related support from the State as a nonemployer contributing entity, and the total portion of the net pension liability that was associated with the Third Judicial District - Office of the District Attorney were as follows:

The Third Judicial District - Office of the District Attorney proportionate share of the net pension liability	\$259,010
The State’s proportionate share of the net pension liability as a nonemployer contributing entity associated with the Third Judicial District - Office of the District Attorney	\$ 1,210
Total	\$260,220

At December 31, 2021, the Third Judicial District - Office of the District Attorney proportion was 0.0035%, which was a decrease of 0.0005% from its proportion measured as of December 31, 2020.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 6 DEFINED BENEFIT PENSION PLAN (Continued)

For the year ended December 31, 2022, the Third Judicial District - Office of the District Attorney recognized pension income of \$48,015 and revenue of \$121 for support from the State as a nonemployer contributing entity. At December 31, 2022, the Third Judicial District - Office of the District Attorney reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between expected and actual experience	1,762	(360)
Changes of assumptions or other inputs	9,235	-
Net difference between projected and actual earnings on pension plan investments	-	(89,132)
Changes in proportion and differences between contributions recognized and proportionate share of contributions	10,727	(29,748)
Contributions subsequent to the measurement date	26,299	N/A
Total	48,023	(119,240)

\$26,299 reported as deferred outflows of resources related to pensions, resulting from contributions subsequent to the measurement date, will be recognized as a reduction of the net pension liability in the year ended December 31, 2023. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31, 2022	
2023	(19,435)
2024	(45,826)
2025	(21,470)
2026	(10,785)
2027	-
Thereafter	-

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 6 DEFINED BENEFIT PENSION PLAN (Continued)

Actuarial assumptions. The TPL in the December 31, 2020, actuarial valuation was determined using the following actuarial cost method, actuarial assumptions and other inputs:

Actuarial cost method	Entry age
Price inflation	2.30%
Real wage growth	0.70%
Wage inflation	3.00%
Salary increases, including wage inflation:	
Members Other than State Troopers	3.30% - 10.90%
State Troopers	3.20% - 12.40%
Long-term investment rate of return, net of pension plan investment expenses, including price inflation	7.25%
Discount rate	7.25%
Post-retirement benefit increases:	
PERA benefit structure hired prior to 1/1/07; and DPS benefit structure (compounded annually)	1.00%
PERA benefit structure hired after 12/31/06 *	Financed by the AIR

*Post-retirement benefit increases are provided by the AIR, accounted separately within each Division Trust Fund, and subject to moneys being available, therefore, liabilities related to increases for members of these benefit tiers can never exceed available assets.

The TPL as of December 31, 2021, includes the anticipated adjustments to contribution rates and the AI cap, resulting from the 2020 AAP assessment, statutorily recognized July 1, 2021, and effective July 1, 2022.

The mortality tables described below are generational mortality tables developed on a benefit-weighted basis.

Pre-retirement mortality assumptions for members other than State Troopers were based upon the PubG-2010 Employee Table with generational projection using scale MP-2019.

Pre-retirement mortality assumptions for State Troopers were based upon the PubS-2010 Employee Table with generational projection using scale MP-2019.

Post-retirement non-disabled mortality assumptions for members other than State Troopers were based upon the PubG-2010 Healthy Retiree Table, adjusted as follows:

- **Males:** 94% of the rates prior to age 80 and 90% of the rates for ages 80 and older, with generational projection using scale MP-2019.
- **Females:** 87% of the rates prior to age 80 and 107% of the rates for ages 80 and older, with generational projection using scale MP-2019.

Post-retirement non-disabled mortality assumptions for State Troopers were based upon the unadjusted PubS-2010 Healthy Retiree Table, with generational projection using scale MP-2019.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 6 DEFINED BENEFIT PENSION PLAN (Continued)

Post-retirement non-disabled beneficiary mortality assumptions were based upon the Pub-2010 Contingent Survivor Table, adjusted as follows:

- **Males:** 97% of the rates for all ages, with generational projection using scale MP-2019.
- **Females:** 105% of the rates for all ages, with generational projection using scale MP-2019.

Disabled mortality assumptions for members other than State Troopers were based upon the PubNS-2010 Disabled Retiree Table using 99% of the rates for all ages with generational projection using scale MP-2019.

Disabled mortality assumptions for State Troopers were based upon the unadjusted PubS-2010 Disabled Retiree Table with generational projection using scale MP-2019.

The actuarial assumptions used in the December 31, 2020, valuation were based on the results of the 2020 experience analysis for the period January 1, 2016, through December 31, 2019, and were reviewed and adopted by the PERA Board at their November 20, 2020, meeting.

The long-term expected return on plan assets is reviewed as part of regular experience studies prepared every four to five years for PERA. Recently this assumption has been reviewed more frequently. The most recent analyses were outlined in the Experience Study report dated October 28, 2020.

Several factors are considered in evaluating the long-term rate of return assumption, including long-term historical data, estimates inherent in current market data, and a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected return, net of investment expense and inflation) were developed for each major asset class. These ranges were combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentages and then adding expected inflation.

The PERA Board first adopted the 7.25% long-term expected rate of return as of November 18, 2016. Following an asset/liability study, the Board reaffirmed the assumed rate of return at the Board's November 15, 2019, meeting, to be effective January 1, 2020. As of the most recent reaffirmation of the long-term rate of return, the target asset allocation and best estimates of geometric real rates of return for each major asset class are summarized in the table as follows:

Asset Class	Target Allocation	30 Year Expected Geometric Real Rate of Return
Global Equity	54.00%	5.60%
Fixed Income	23.00%	1.30%
Private Equity	8.50%	7.10%
Real Estate	8.50%	4.40%
Alternatives	6.00%	4.70%
Total	100.00%	

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 6 DEFINED BENEFIT PENSION PLAN (Continued)

In setting the long-term expected rate of return, projections employed to model future returns provide a range of expected long-term returns that, including expected inflation, ultimately support a long-term expected nominal rate of return assumption of 7.25%.

Discount rate. The discount rate used to measure the TPL was 7.25%. The projection of cash flows used to determine the discount rate applied the actuarial cost method and assumptions shown above. In addition, the following methods and assumptions were used in the projection of cash flows:

- Total covered payroll for the initial projection year consists of the covered payroll of the active membership present on the valuation date and the covered payroll of future plan members assumed to be hired during the year. In subsequent projection years, total covered payroll was assumed to increase annually at a rate of 3.00 percent.
- Employee contributions were assumed to be made at the member contribution rates in effect for each year, including the scheduled increases in SB 18-200, required adjustments resulting from the 2018 AAP assessment, and the additional 0.50% resulting from the 2020 AAP assessment, statutorily recognized July 1, 2021, and effective July 1, 2022. Employee contributions for future plan members were used to reduce the estimated amount of total service costs for future plan members.
- Employer contributions were assumed to be made at rates equal to the fixed statutory rates specified in law for each year, including the scheduled increase in SB 18-200, required adjustments resulting from the 2018 AAP assessment, and the additional 0.50% resulting from the 2020 AAP assessment, statutorily recognized July 1, 2021, and effective July 1, 2022. Employer contributions also include current and estimated future AED and SAED, until the actuarial value funding ratio reaches 103%, at which point the AED and SAED will each drop 0.50% every year until they are zero. Additionally, estimated employer contributions reflect reductions for the funding of the AIR and retiree health care benefits. For future plan members, employer contributions were further reduced by the estimated amount of total service costs for future plan members not financed by their member contributions.
- As specified in law, the State, as a nonemployer contributing entity, will provide an annual direct distribution of \$225 million (actual dollars), commencing July 1, 2018, that is proportioned between the State, School, Judicial, and DPS Division Trust Funds based upon the covered payroll of each Division. The annual direct distribution ceases when all Division Trust Funds are fully funded.
- Employer contributions and the amount of total service costs for future plan members were based upon a process to estimate future actuarially determined contributions assuming an analogous future plan member growth rate.
- The AIR balance was excluded from the initial FNP, as, per statute, AIR amounts cannot be used to pay benefits until transferred to either the retirement benefits reserve or the survivor benefits reserve, as appropriate. AIR transfers to the FNP and the subsequent AIR benefit payments were estimated and included in the projections.
- The projected benefit payments reflect the lowered AI cap, from 1.25% to 1.00%, resulting from the 2020 AAP assessment, statutorily recognized July 1, 2021, and effective July 1, 2022.
- Benefit payments and contributions were assumed to be made at the middle of the year.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 6 DEFINED BENEFIT PENSION PLAN (Continued)

Based on the above assumptions and methods, the SDTF’s FNP was projected to be available to make all projected future benefit payments of current members. Therefore, the long-term expected rate of return of 7.25% on pension plan investments was applied to all periods of projected benefit payments to determine the TPL. The discount rate determination does not use the municipal bond index rate, and therefore, the discount rate is 7.25%. There was no change in the discount rate from the prior measurement date.

Sensitivity of the Third Judicial District - Office of the District Attorney proportionate share of the net pension liability to changes in the discount rate. The following presents the proportionate share of the net pension liability calculated using the discount rate of 7.25%, as well as what the proportionate share of the net pension liability would be if it were calculated using a discount rate that is one percentage point lower (6.25%) or one percentage point higher (8.25%) than the current rate:

	1% Decrease (6.25%)	Current Discount Rate (7.25%)	1% Increase (8.25%)
Proportionate share of the net pension	365,324	259,010	169,634

Pension plan fiduciary net position. Detailed information about the SDTF’s FNP is available in PERA’s ACFR which can be obtained at www.copera.org/investments/pera-financial-reports.

NOTE 7 OTHER POST-EMPLOYMENT BENEFITS

Defined Benefit Other Post Employment Benefit (OPEB) Plan

Summary of Significant Accounting Policies

OPEB. The Third Judicial District - Office of the District Attorney participates in the Health Care Trust Fund (HCTF), a cost-sharing multiple-employer defined benefit OPEB fund administered by the Public Employees’ Retirement Association of Colorado (“PERA”). The net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, OPEB expense, information about the fiduciary net position (FNP) and additions to/deductions from the FNP of the HCTF have been determined using the economic resources measurement focus and the accrual basis of accounting. For this purpose, benefits paid on behalf of health care participants are recognized when due and/or payable in accordance with the benefit terms. Investments are reported at fair value.

NOTE 7 **OTHER POST-EMPLOYMENT BENEFITS (Continued)**

General Information about the OPEB Plan

Plan description. Eligible employees of the Third Judicial District - Office of the District Attorney are provided with OPEB through the HCTF—a cost-sharing multiple-employer defined benefit OPEB plan administered by PERA. The HCTF is established under Title 24, Article 51, Part 12 of the Colorado Revised Statutes (C.R.S.), as amended, and sets forth a framework that grants authority to the PERA Board to contract, self-insure, and authorize disbursements necessary in order to carry out the purpose of the PERACare program, including the administration of the premium subsidies. Colorado State law provisions may be amended by the Colorado General Assembly. PERA issues a publicly available annual comprehensive financial report (ACFR) that can be obtained at www.copera.org/investments/pera-financial-reports.

Benefits provided. The HCTF provides a health care premium subsidy to eligible participating PERA benefit recipients and retirees who choose to enroll in one of the PERA health care plans, however, the subsidy is not available if only enrolled in the dental and/or vision plan(s). The health care premium subsidy is based upon the benefit structure under which the member retires and the member's years of service credit. For members who retire having service credit with employers in the Denver Public Schools (DPS) Division and one or more of the other four Divisions (State, School, Local Government and Judicial), the premium subsidy is allocated between the HCTF and the Denver Public Schools Health Care Trust Fund (DPS HCTF). The basis for the amount of the premium subsidy funded by each trust fund is the percentage of the member contribution account balance from each division as it relates to the total member contribution account balance from which the retirement benefit is paid.

C.R.S. § 24-51-1202 et seq. specifies the eligibility for enrollment in the health care plans offered by PERA and the amount of the premium subsidy. The law governing a benefit recipient's eligibility for the subsidy and the amount of the subsidy differs slightly depending under which benefit structure the benefits are calculated. All benefit recipients under the PERA benefit structure and all retirees under the DPS benefit structure are eligible for a premium subsidy, if enrolled in a health care plan under PERACare. Upon the death of a DPS benefit structure retiree, no further subsidy is paid.

Enrollment in the PERACare health benefits program is voluntary and is available to benefit recipients and their eligible dependents, certain surviving spouses, and divorced spouses and guardians, among others. Eligible benefit recipients may enroll into the program upon retirement, upon the occurrence of certain life events, or on an annual basis during an open enrollment period.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 7 OTHER POST EMPLOYMENT BENEFITS (Continued)

PERA Benefit Structure

The maximum service-based premium subsidy is \$230 per month for benefit recipients who are under 65 years of age and who are not entitled to Medicare; the maximum service-based subsidy is \$115 per month for benefit recipients who are 65 years of age or older or who are under 65 years of age and entitled to Medicare. The maximum service-based subsidy, in each case, is for benefit recipients with retirement benefits based on 20 or more years of service credit. There is a 5% reduction in the subsidy for each year less than 20. The benefit recipient pays the remaining portion of the premium to the extent the subsidy does not cover the entire amount.

For benefit recipients who have not participated in Social Security and who are not otherwise eligible for premium-free Medicare Part A for hospital-related services, C.R.S. § 24-51-1206(4) provides an additional subsidy. According to the statute, PERA cannot charge premiums to benefit recipients without Medicare Part A that are greater than premiums charged to benefit recipients with Part A for the same plan option, coverage level, and service credit. Currently, for each individual PERACare enrollee, the total premium for Medicare coverage is determined assuming plan participants have both Medicare Part A and Part B and the difference in premium cost is paid by the HCTF or the DPS HCTF on behalf of benefit recipients not covered by Medicare Part A.

DPS Benefit Structure

The maximum service-based premium subsidy is \$230 per month for retirees who are under 65 years of age and who are not entitled to Medicare; the maximum service-based subsidy is \$115 per month for retirees who are 65 years of age or older or who are under 65 years of age and entitled to Medicare. The maximum service-based subsidy, in each case, is for retirees with retirement benefits based on 20 or more years of service credit. There is a 5% reduction in the subsidy for each year less than 20. The retiree pays the remaining portion of the premium to the extent the subsidy does not cover the entire amount.

For retirees who have not participated in Social Security and who are not otherwise eligible for premium-free Medicare Part A for hospital-related services, the HCTF or the DPS HCTF pays an alternate service-based premium subsidy. Each individual retiree meeting these conditions receives the maximum \$230 per month subsidy reduced appropriately for service less than 20 years, as described above. Retirees who do not have Medicare Part A pay the difference between the total premium and the monthly subsidy.

Contributions. Pursuant to Title 24, Article 51, Section 208(1)(f) of the C.R.S., as amended, certain contributions are apportioned to the HCTF. PERA-affiliated employers of the State, School, Local Government, and Judicial Divisions are required to contribute at a rate of 1.02% of PERA-includable salary into the HCTF.

Employer contributions are recognized by the HCTF in the period in which the compensation becomes payable to the member and the Third Judicial District - Office of the District Attorney is statutorily committed to pay the contributions. Employer contributions recognized by the HCTF from the Third Judicial District - Office of the District Attorney were \$1,326 for the year ended December 31, 2022.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 7 OTHER POST EMPLOYMENT BENEFITS (Continued)

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

At December 31, 2022, the Third Judicial District - Office of the District Attorney reported a liability of \$11,711 for its proportionate share of the net OPEB liability. The net OPEB liability for the HCTF was measured as of December 31, 2021, and the total OPEB liability (TOL) used to calculate the net OPEB liability was determined by an actuarial valuation as of December 31, 2020. Standard update procedures were used to roll-forward the TOL to December 31, 2021. The Third Judicial District - Office of the District Attorney proportion of the net OPEB liability was based on the Third Judicial District - Office of the District Attorney contributions to the HCTF for the calendar year 2021 relative to the total contributions of participating employers to the HCTF.

At December 31, 2021, the Third Judicial District - Office of the District Attorney proportion was 0.0014%, which was a decrease of 0.0001 from its proportion measured as of December 31, 2020.

For the year ended December 31, 2022, the Third Judicial District - Office of the District Attorney recognized OPEB income of \$1,142. At December 31, 2022, the Third Judicial District-Office of the District Attorney reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between expected and actual experience	18	(725)
Changes of assumptions or other inputs	242	(635)
Net difference between projected and actual earnings on OPEB plan investments	-	(2,777)
Changes in proportion and differences between contributions recognized and proportionate share of contributions	615	(2,330)
Contributions subsequent to the measurement date	1,326	N/A
Total	2,201	(6,467)

\$1,326 reported as deferred outflows of resources related to OPEB, resulting from contributions subsequent to the measurement date, will be recognized as a reduction of the net OPEB liability in the year ended December 31, 2023. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year ended December 31, 2022	
2023	(1,657)
2024	(1,398)
2025	(1,596)
2026	(696)
2027	(207)
Thereafter	(38)

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 7 OTHER POST EMPLOYMENT BENEFITS (Continued)

Actuarial assumptions. The TOL in the December 31, 2020 actuarial valuation was determined using the following actuarial cost method, actuarial assumptions and other inputs:

	State Division	School Division	Local Government Division	Judicial Division
Actuarial cost method			Entry age	
Price inflation			2.30%	
Real wage growth			0.70%	
Wage inflation			3.00%	
Salary increases, including wage inflation				
Members other than State Troopers	3.30%-10.90%	3.40% -11.00%	3.20%-11.30%	2.80%-5.30%
State Troopers	3.20%-12.40%	N/A	3.20%-12.40%	N/A
Long-term investment rate of return, net of OPEB plan investment expenses, including price inflation			7.25%	
Discount rate			7.25%	
Health care cost trend rates				
PERA benefit structure:				
Service-based premium subsidy			0.00%	
PERACare Medicare plans			4.50% in 2021, 6.00% in 2022 gradually decreasing to 4.50% in 2029	
Medicare Part A premiums			3.75% in 2021, gradually increasing to 4.50% in 2029	
DPS benefit structure:				
Service-based premium subsidy			0.00 %	
PERACare Medicare plans			N/A	
Medicare Part A premiums			N/A	

Calculations are based on the benefits provided under the terms of the substantive plan in effect at the time of each actuarial valuation and on the pattern of sharing of costs between employers of each fund to that point.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 7 OTHER POST EMPLOYMENT BENEFITS (Continued)

In determining the additional liability for PERACare enrollees who are age 65 or older and who are not eligible for premium-free Medicare Part A in the December 31, 2020, valuation, the following monthly costs/premiums (actual dollars) are assumed for 2021 for the PERA Benefit Structure:

Medicare Plan	Initial Costs for Members Without Medicare Part A		
	Monthly Cost	Monthly Premium	Adjusted to Age 65
Medicare Advantage/Self-Insured Rx	\$633	\$230	\$591
Kaiser Permanente Medicare Advantage HMO	\$596	\$199	\$562

The 2021 Medicare Part A premium is \$471 (actual dollars) per month.

All costs are subject to the health care cost trend rates, as discussed below.

Health care cost trend rates reflect the change in per capita health costs over time due to factors such as medical inflation, utilization, plan design, and technology improvements. For the PERA benefit structure, health care cost trend rates are needed to project the future costs associated with providing benefits to those PERACare enrollees not eligible for premium-free Medicare Part A.

Health care cost trend rates for the PERA benefit structure are based on published annual health care inflation surveys in conjunction with actual plan experience (if credible), building block models and industry methods developed by health plan actuaries and administrators. In addition, projected trends for the Federal Hospital Insurance Trust Fund (Medicare Part A premiums) provided by the Centers for Medicare & Medicaid Services are referenced in the development of these rates. Effective December 31, 2020, the health care cost trend rates for Medicare Part A premiums were revised to reflect the current expectation of future increases in rates of inflation applicable to Medicare Part A premiums.

The PERA benefit structure health care cost trend rates used to measure the TOL are summarized in the table below:

Year	PERACare Medicare Plans	Medicare Part A Premiums
2021	4.50%	3.75%
2022	6.00%	3.75%
2023	5.80%	4.00%
2024	5.60%	4.00%
2025	5.40%	4.00%
2026	5.10%	4.25%
2027	4.90%	4.25%
2028	4.70%	4.25%
2029+	4.50%	4.50%

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 7 OTHER POST EMPLOYMENT BENEFITS (Continued)

Mortality assumptions used in the December 31, 2020 valuation for the determination of the total pension liability for each of the Division Trust Funds as shown below, reflect generational mortality and were applied, as applicable, in the determination of the TOL for the HCTF, but developed using a headcount-weighted basis. Affiliated employers of the State, School, Local Government, and Judicial Divisions participate in the HCTF.

Pre-retirement mortality assumptions for the State and Local Government Divisions (members other than State Troopers) were based upon the PubG-2010 Employee Table with generational projection using scale MP-2019.

Post-retirement non-disabled mortality assumptions for the State and Local Government Divisions (members other than State Troopers) were based upon the PubG-2010 Healthy Retiree Table, adjusted as follows:

- Males: 94% of the rates prior to age 80 and 90% of the rates for ages 80 and older, with generational projection using scale MP-2019.
- Females: 87% of the rates prior to age 80 and 107% of the rates for ages 80 and older, with generational projection using scale MP-2019.

Post-retirement non-disabled mortality assumptions for State Troopers were based upon the unadjusted PubS-2010 Healthy Retiree Table, with generational projection using scale MP-2019.

Post-retirement non-disabled mortality assumptions for the School Division were based upon the PubT-2010 Healthy Retiree Table, adjusted as follows:

- Males: 112% of the rates prior to age 80 and 94% of the rates for ages 80 and older, with generational projection using scale MP-2019.
- Females: 83% of the rates prior to age 80 and 106% of the rates for ages 80 and older, with generational projection using scale MP-2019.

Post-retirement non-disabled mortality assumptions for the Judicial Division were based upon the unadjusted PubG-2010(A) Above-Median Healthy Retiree Table with generational projection using scale MP-2019.

Post-retirement non-disabled beneficiary mortality assumptions were based upon the Pub-2010 Contingent Survivor Table, adjusted as follows:

- Males: 97% of the rates for all ages, with generational projection using scale MP-2019.
- Females: 105% of the rates for all ages, with generational projection using scale MP-2019.

Disabled mortality assumptions for members other than State Troopers were based upon the PubNS-2010 Disabled Retiree Table using 99% of the rates for all ages with generational projection using scale MP-2019.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 7 OTHER POST EMPLOYMENT BENEFITS (Continued)

Disabled mortality assumptions for State Troopers were based upon the unadjusted PubS-2010 Disabled Retiree Table with generational projection using scale MP-2019.

The following health care costs assumptions were updated and used in the roll-forward calculation for the Trust Fund:

- Initial per capita health care costs for those PERACare enrollees under the PERA benefit structure who are expected to attain age 65 and older ages and are not eligible for premium-free Medicare Part A benefits were updated to reflect the change in costs for the 2021 plan year.
- The health care cost trend rates for Medicare Part A premiums were revised to reflect the then-current expectation of future increases in rates of inflation applicable to Medicare Part A premiums.

Actuarial assumptions pertaining to per capita health care costs and their related trend rates are analyzed and updated annually by PERA Board's actuary, as discussed above.

The actuarial assumptions used in the December 31, 2020, valuation were based on the results of the 2020 experience analysis for the period January 1, 2016, through December 31, 2019, and were reviewed and adopted by the PERA Board at their November 20, 2020, meeting.

The long-term expected return on plan assets is reviewed as part of regular experience studies prepared every four to five years for PERA. Recently this assumption has been reviewed more frequently. The most recent analyses were outlined in the Experience Study report dated October 28, 2020.

Several factors are considered in evaluating the long-term rate of return assumption, including long-term historical data, estimates inherent in current market data, and a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected return, net of investment expense and inflation) were developed for each major asset class. These ranges were combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentages and then adding expected inflation.

As of the most recent reaffirmation of the long-term rate of return, the target asset allocation and best estimates of geometric real rates of return for each major asset class are summarized in the table as follows:

Asset Class	Target Allocation	30 Year Expected Geometric Real Rate of Return
Global Equity	54.00%	5.60%
Fixed Income	23.00%	1.30%
Private Equity	8.50%	7.10%
Real Estate	8.50%	4.40%
Alternatives	6.00%	4.70%
Total	100.00%	

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 7 OTHER POST EMPLOYMENT BENEFITS (Continued)

Note: In setting the long-term expected rate of return, projections employed to model future returns provide a range of expected long-term returns that, including expected inflation, ultimately support a long-term expected nominal rate of return assumption of 7.25%.

Sensitivity of the Third Judicial District - Office of the District Attorney proportionate share of the net OPEB liability to changes in the Health Care Cost Trend Rates. The following presents the net OPEB liability using the current health care cost trend rates applicable to the PERA benefit structure, as well as if it were calculated using health care cost trend rates that are one percentage point lower or one percentage point higher than the current rates:

	1% Decrease in Trend Rates	Current Trend Rates	1% Increase in Trend Rates
Initial PERACare Medicare trend rate	3.50%	4.50%	5.50%
Ultimate PERACare Medicare trend rate	3.50%	4.50%	5.50%
Initial Medicare Part A trend rate	2.75%	3.75%	4.75%
Ultimate Medicare Part A trend rate	3.50%	4.50%	5.50%
Net OPEB Liability	\$11,374	\$11,711	\$12,100

Discount rate. The discount rate used to measure the TOL was 7.25%. The projection of cash flows used to determine the discount rate applied and actuarial cost method and assumptions shown above. In addition, the following methods and assumptions were used in the projection of cash flows:

- Updated health care cost trend rates for Medicare Part A premiums as of the December 31, 2021, measurement date.
- Total covered payroll for the initial projection year consists of the covered payroll of the active membership present on the valuation date and the covered payroll of future plan members assumed to be hired during the year. In subsequent projection years, total covered payroll was assumed to increase annually at a rate of 3.00%.
- Employer contributions were assumed to be made at rates equal to the fixed statutory rates specified in law and effective as of the measurement date.
- Employer contributions and the amount of total service costs for future plan members were based upon a process to estimate future actuarially determined contributions assuming an analogous future plan member growth rate.
- Estimated transfers of dollars into the HCTF representing a portion of purchase service agreements intended to cover the costs associated with OPEB benefits.
- Benefit payments and contributions were assumed to be made at the middle of the year.

Based on the above assumptions and methods, the HCTF's FNP was projected to be available to make all projected future benefit payments of current members. Therefore, the long-term expected rate of return of 7.25% on OPEB plan investments was applied to all periods of projected benefit payments to determine the TOL. The discount rate determination does not use the municipal bond index rate, and therefore, the discount rate is 7.25%. There was no change in the discount rate from the prior measurement date.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 7 OTHER POST EMPLOYMENT BENEFITS (Continued)

Sensitivity of the Third Judicial District - Office of the District Attorney proportionate share of the net OPEB liability to changes in the discount rate. The following presents the proportionate share of the net OPEB liability calculated using the discount rate of 7.25%, as well as what the proportionate share of the net OPEB liability would be if it were calculated using a discount rate that is one-percentage-point lower (6.25%) or one-percentage-point higher (8.25%) than the current rate:

	1% Decrease (6.25%)	Current Discount Rate (7.25%)	1% Increase (8.25%)
Proportionate share of the net OPEB liability	\$13,602	\$11,711	\$10,097

OPEB plan fiduciary net position. Detailed information about the HCTF's FNP is available in PERA's ACFR which can be obtained at www.copera.org/investments/pera-financial-reports.

NOTE 8 DEFINED CONTRIBUTION PLAN

The District provides pension benefits for substantially all full time employees through a defined contribution plan of the Colorado Retirement Association (CRA). In a defined contribution plan, benefits depend solely on amounts contributed to the plan plus investment earnings. One year of service is required previous to participation in the Colorado Retirement Association Plan.

Employees contribute 3% of their salary to the plan with an equal amount contributed by the District. Vesting occurs at the rate of 20% per year. District contributions for, and earnings forfeited by, employees who leave employment before fully vesting are returned to the District. Forfeitures were \$4,395 during 2022 and pension expense was \$29,977. The District had no outstanding liability for this plan at year end.

The plan was approved and may be amended by the District Attorney.

NOTE 9 DEFERRED COMPENSATION PLAN

The District offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The plan, available to all permanent employees, permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergency.

In 2001, the District adopted an amendment to its Deferred Compensation Plan with CRA. The adoption of the amendment was due to recent changes in the Internal Revenue Code. Specifically the amendment states that all amounts deferred under this plan, all property and rights purchased with such amounts, and all income attributable to such amounts, property or rights shall, until made available to the participant or beneficiary, be held in the Colorado Retirement Association Deferred Compensation Plan Trust for the exclusive benefit of participants and their beneficiaries. Colorado Retirement Association is trustee of the trust.

Eligible voluntary employee contributions were \$3,280 for 2022.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
NOTES TO FINANCIAL STATEMENTS
December 31, 2022

NOTE 10 CONTINGENCIES - TAX, SPENDING AND DEBT LIMITATIONS

In November 1992, the voters of Colorado approved Amendment 1, commonly known as the Taxpayer's Bill of Rights (TABOR), which adds a new Section 20 to Article X of the Colorado Constitution. TABOR contains tax, spending, revenue and debt limitations which apply to the State of Colorado and all States.

Enterprises, defined as government-owned businesses authorized to issue revenue bonds and receiving less than 10% of annual revenue in grants from all state and States combined, are excluded from the provisions of TABOR. (The District's management believes none of its operations qualified for this exclusion.)

The initial base for State spending and revenue limits is 1992 Fiscal Year Spending. Future spending and revenue limits are determined based on the prior year's Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

TABOR requires States to establish Emergency Reserves. These reserves must be at least 1% of Fiscal Year Spending (excluding bonded debt service) in 1993, 2% in 1994 and 3% thereafter. States are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases.

TABOR requires, with certain exceptions, voters approval prior to imposing new taxes, increasing a tax rate, increasing a mill levy above that for the prior year, extending an expiring tax, or implementing a tax policy change directly causing a net tax revenue gain to any State.

Except for bond refinancing at lower interest rates or adding employees to existing pension plans, TABOR specifically prohibits the creation of multiple-fiscal year debt or other financial obligations without voter approval or without irrevocably pledging present cash reserves for all future payments.

The District is a cooperative entity that exists for the purpose of administering programs to benefit the Huerfano and Las Animas County areas. They have no taxing authority, and no bonded debt. They are primarily funded by federal grants, state grants, local county contributions and a stipend from the state judicial branch.

The District is in compliance with the provisions of TABOR which they believe are applicable to this entity. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits (and qualification as an Enterprise) will require judicial interpretation. As of December 31, 2022 the General Fund has a TABOR reserve of \$57,800.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 NOTES TO FINANCIAL STATEMENTS
 December 31, 2022

NOTE 11 RISK MANAGEMENT

The District is exposed to various risks of loss related to torts, thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees, or acts of God.

The District maintains commercial insurance for all risks of loss. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years.

NOTE 12 CASH DEPOSITS

The Colorado Public Deposit Protection Act (PDPA), requires that all units of States deposit cash in eligible public depositories, eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized.

The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution or held in trust for all the uninsured public deposits as a group. The market value of the collateral must be at least equal to the aggregate uninsured deposits.

At December 31, 2022, the District's cash deposits had a bank balance and a corresponding carrying balance as follows:

	<u>Bank Balance</u>	<u>Carrying Balance</u>
Insured (FDIC)	250,000	250,000
Uninsured, collateralized under the Public Deposit Protection Act (See Above)	270,002	263,262
Cash on Hand	<u>-</u>	<u>-</u>
<u>Total Cash</u>	<u>520,002</u>	<u>513,262</u>

As presented above, deposits with a bank balance of \$270,002 and a carrying balance of \$263,262 as of December 31, 2022 are uninsured, are exposed to custodial risk, and are collateralized with securities held by the pledging financial institution.

REQUIRED SUPPLEMENTARY INFORMATION

BUDGETARY COMPARISONS

PENSION TREND DATA

OPEB TREND DATA

MAJOR GOVERNMENTAL FUNDS

General Fund

The General Fund accounts for all transaction of the District not accounted for in other funds. This fund represents an accounting for the District's ordinary operations financed from allocations from Las Animas and Huerfano Counties.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE
BUDGET (GAAP BASIS) AND ACTUAL
For the Year Ended December 31, 2022

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance- Favorable (Unfavorable)</u>
	<u>Original</u>	<u>Final</u>		
<u>Revenues</u>				
<u>Local Sources</u>				
Las Animas County Allocation			1,260,948	
Huerfano County Allocation			360,000	
Administration Fees			3,330	
Other			6,782	
<u>State Sources</u>				
Allocations			127,530	
VOCA Grant			81,718	
Juvenile Diversion Grant			82,554	
Other			2,766	
<u>Total Revenues</u>	<u>1,416,656</u>	<u>1,416,656</u>	<u>1,925,628</u>	<u>508,972</u>
<u>Expenditures</u>				
Payroll and Benefits	1,022,516	1,022,516	1,458,143	(435,627)
Administration	234,776	234,776	155,852	78,924
Equipment Leases	14,000	14,000	7,013	6,987
Capital Outlay	2,500	2,500	14,882	(12,382)
Other Direct Costs	142,864	142,864	2,059	140,805
TABOR Funding	-	-	-	-
<u>Total Expenditures</u>	<u>1,416,656</u>	<u>1,416,656</u>	<u>1,637,949</u>	<u>(221,293)</u>
<u>Revenues Over (Under) Expenditures</u>	-	-	287,679	
<u>Other Financing Sources (Uses)</u>				
Transfers	-	-	-	-
<u>Revenues and Other Sources Over (Under) Expenditures and Other Uses</u>	-	-	287,679	
<u>Fund Balance, January 1</u>	-	-	257,451	
<u>Fund Balance, December 31</u>	<u>-</u>	<u>-</u>	<u>545,130</u>	

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
 SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY
 For The Last 10 Fiscal Years (As Available)

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
District's proportion of the net pension liability (asset)	.00351%	.00396%	.00365%	.00393%	.00405%	.00456%	.00466%	-	-	-
District's proportionate share of the net pension liability (asset)	\$259,010	\$376,066	\$353,937	\$447,377	\$810,179	\$838,136	\$492,482	-	-	-
State's Proportionate Share of the Net Pension Liability Associated with the District**	\$1,210	-	\$1,804	\$2,463	-	-	-	-	-	-
District's covered payroll	\$130,000	\$130,000	\$130,000	\$130,000	\$135,417	\$118,750	\$130,000	-	-	-
District's proportionate share of the net pension liability (asset) as a percentage of its covered payroll	199%	289%	272%	344%	598%	706%	379%	-	-	-
Plan fiduciary net position as a percentage of the total pension liability	73.05%	65.34%	62.24%	55.11%	43.2%	42.6%	59.8%	-	-	-

** A direct distribution provision to allocate funds from the State of Colorado budget to Colorado PERA On an annual basis began in July 2018 based on Senate Bill 18-200.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
 SCHEDULE OF DISTRICT CONTRIBUTIONS
 For The Last 10 Fiscal Years (As Available)

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Contractually required contributions	\$ 26,299	\$ 25,909	\$ 25,519	\$ 25,032	\$ 25,905	\$ 22,717	\$ 23,699	\$ 22,529	-	-
Contributions in relation to the contractually required contributions	<u>\$ (26,299)</u>	<u>\$ (25,909)</u>	<u>\$ (25,519)</u>	<u>\$ (25,032)</u>	<u>\$ (25,905)</u>	<u>\$ (22,717)</u>	<u>\$ (23,699)</u>	<u>\$ (22,529)</u>	-	-
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	-
District's covered payroll	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 135,417	\$ 118,750	\$ 130,000	\$ 130,000	-	-
Contributions as a percentage of covered payroll	20.23%	19.93%	19.63%	19.26 %	19.13%	19.13%	18.23%	17.33%	-	-

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
 SCHEDULE OF PROPORTIONATE SHARE OF NET OTHER POST EMPLOYMENT BENEFIT LIABILITY
 For The Last 10 Fiscal Years (As Available)

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
District's proportion of the net OPEB liability (asset)	.00135%	.00140%	.00145%	.0016%	.00146%	.00165%	-	-	-	-
District's proportionate share of the net OPEB liability (asset)	\$11,711	\$13,358	\$16,251	\$21,784	\$19,009	\$21,346	-	-	-	-
District's covered payroll	\$130,000	\$130,000	\$130,000	\$130,000	\$135,417	\$118,750	-	-	-	-
District's proportionate share of the net OPEB liability (asset) as a percentage of its covered payroll	9.00%	10.27%	12.50%	16.75%	14.03%	17.97%	-	-	-	-
Plan fiduciary net position as a percentage of the total OPEB liability	39.40%	32.78%	24.49%	17.03%	17.53%	16.72%	-	-	-	-

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT - OFFICE OF THE DISTRICT ATTORNEY
 SCHEDULE OF DISTRICT CONTRIBUTIONS - OPEB
 For The Last 10 Fiscal Years (As Available)

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Contractually required contributions	\$ 1,326	\$ 1,326	\$ 1,326	\$ 1,326	\$ 1,381	\$ 1,211	\$ 1,326	-	-	-
Contributions in relation to the contractually required contributions	<u>\$ (1,326)</u>	<u>\$ (1,326)</u>	<u>\$ (1,326)</u>	<u>\$ (1,326)</u>	<u>\$ (1,381)</u>	<u>\$ (1,211)</u>	<u>\$ (1,326)</u>	-	-	-
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	-	-	-
District's covered payroll	\$130,000	\$130,000	\$130,000	\$130,000	\$135,417	\$118,750	\$130,000	-	-	-
Contributions as a percentage of covered payroll	1.02%	1.02%	1.02%	1.02%	1.02%	1.02%	1.02%	-	-	-

The accompanying notes are an integral part of these financial statements.

COMBINING AND INDIVIDUAL FUND STATEMENTS AND OTHER SCHEDULES

NON - MAJOR GOVERNMENTAL FUNDS

Special Revenue Funds

Special Revenue Funds account for revenues that are meant to support expenditures for specific purposes.

VALE – This fund accounts for proceeds used for program administration purposes.

Victims Assistance – This fund accounts for payments made based on agreed settlements for victims of crimes.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 COMBINING BALANCE SHEET
 NONMAJOR GOVERNMENTAL FUNDS
 December 31, 2022

	<u>Special Revenue Funds</u>		Total Nonmajor Governmental Funds
	<u>VALE</u>	<u>Victims Assistance</u>	
<u>ASSETS:</u>			
Cash	9,247	2,184	11,431
Accounts and Grants Receivable	769	-	769
Due From Other Funds	<u>734</u>	<u>-</u>	<u>734</u>
<u>Total Assets</u>	<u>10,750</u>	<u>2,184</u>	<u>12,934</u>
 <u>LIABILITIES AND FUND BALANCES:</u>			
<u>Liabilities:</u>			
Accounts Payable	-	-	-
Due To Other Funds	-	-	-
Other Payables	<u>-</u>	<u>-</u>	<u>-</u>
<u>Total Liabilities</u>	<u>-</u>	<u>-</u>	<u>-</u>
 <u>Fund Balances:</u>			
Assigned:			
Victims Assistance and Administration	<u>10,750</u>	<u>2,184</u>	<u>12,934</u>
<u>Total Fund Balances</u>	<u>10,750</u>	<u>2,184</u>	<u>12,934</u>
 <u>TOTAL LIABILITIES AND FUND BALANCES</u>	 <u>10,750</u>	 <u>2,184</u>	 <u>12,934</u>

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
 COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
 NONMAJOR GOVERNMENTAL FUNDS
 Year Ended December 31, 2022

	<u>Special Revenue Funds</u>	<u>Total</u>
	<u>VALE</u>	<u>Nonmajor</u>
	<u>Victims</u>	<u>Governmental</u>
	<u>Assistance</u>	<u>Funds</u>
<u>REVENUES:</u>		
Administration Fees	8,752	8,752
Settlements	-	-
<u>Total Revenues</u>	<u>8,752</u>	<u>8,752</u>
<u>EXPENDITURES:</u>		
Administration	6,753	6,753
Compensation Payments	-	-
<u>Total Expenditures</u>	<u>6,753</u>	<u>6,753</u>
<u>REVENUES OVER (UNDER) EXPENDITURES</u>	1,999	1,999
<u>OTHER FINANCING SOURCES (USES)</u>		
Transfers In (Out)	-	-
<u>TOTAL REVENUES AND OTHER SOURCES</u> <u>OVER (UNDER) EXPENDITURES AND</u> <u>OTHER USES</u>	1,999	1,999
<u>FUND BALANCE – January 1</u>	<u>8,751</u>	<u>2,184</u>
<u>FUND BALANCE – December 31</u>	<u>10,750</u>	<u>12,934</u>

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
VALE FUND – SPECIAL REVENUE FUND
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
BUDGET (GAAP BASIS) AND ACTUAL
Year Ended December 31, 2022

	<u>Budget</u>	<u>Actual</u>	Variance- Favorable (Unfavorable)
<u>Revenues</u>			
Administration Fees	<u>7,110</u>	<u>8,751</u>	<u>1,641</u>
<u>Total Revenues</u>	<u>7,110</u>	<u>8,751</u>	<u>1,641</u>
 <u>Expenditures</u>			
Administration - Victims Assistance	<u>7,110</u>	<u>6,753</u>	<u>357</u>
<u>Total Expenditures</u>	<u>7,110</u>	<u>6,753</u>	<u>357</u>
 <u>Revenues Over (Under) Expenditures</u>	-	1,998	
 <u>Other Financing Sources (Uses)</u>			
Transfers In (Out)	-	-	-
 <u>Total Revenues and Other Sources Over (Under) Expenditures and Other Uses</u>	-	1,998	
 <u>Fund Balance, January 1</u>	<u>8,751</u>	<u>8,751</u>	
 <u>Fund Balance, December, 31</u>	<u>8,751</u>	<u>10,749</u>	

The accompanying notes are an integral part of these financial statements.

THE THIRD JUDICIAL DISTRICT – OFFICE OF THE DISTRICT ATTORNEY
VICTIMS ASSISTANCE – SPECIAL REVENUE FUND
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
BUDGET (GAAP BASIS) AND ACTUAL
Year Ended December 31, 2022

	<u>Budget</u>	<u>Actual</u>	Variance- Favorable (Unfavorable)
<u>Revenues</u>			
Settlements	—	—	—
<u>Total Revenues</u>	<u>—</u>	<u>—</u>	<u>—</u>
 <u>Expenditures</u>			
Compensation Payments	-	-	-
Administration	<u>2,136</u>	—	<u>2,136</u>
<u>Total Expenditures</u>	<u>2,136</u>	<u>—</u>	<u>2,136</u>
 <u>Revenues Over (Under) Expenditures</u>	 (2,136)	 -	
 <u>Other Financing Sources (Uses)</u>			
Transfers In (Out)	—	—	—
 <u>Total Revenues and Other Sources Over (Under) Expenditures and Other Uses</u>	 (2,136)	 -	
 <u>Fund Balance, January 1</u>	 <u>2,184</u>	 <u>2,184</u>	
 <u>Fund Balance, December, 31</u>	 <u>48</u>	 <u>2,184</u>	

The accompanying notes are an integral part of these financial statements.