



Fiscal Note
Legislative Council Staff
Nonpartisan Services for Colorado’s Legislature

SB 26-011: SEARCH WARRANTS PROVIDED TO COVERED PLATFORMS

Prime Sponsors:

Sen. Frizell; Roberts
Rep. Boesenecker

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Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill requires operators of certain online platforms to establish a streamlined process for law enforcement to execute search warrants.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis starting in FY 2026-27:

- Minimal State Revenue
- Minimal State Workload
- Local Government

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

| Type of Impact | Budget Year FY 2026-27 | Out Year FY 2027-28 |
|-------------------------|---------------------------|------------------------|
| State Revenue | \$0 | \$0 |
| State Expenditures | \$0 | \$0 |
| Transferred Funds | \$0 | \$0 |
| Change in TABOR Refunds | \$0 | \$0 |
| Change in State FTE | 0.0 FTE | 0.0 FTE |

Summary of Legislation

The bill requires operators of online platforms to provide a streamlined process for Colorado law enforcement agencies to execute search warrants. The subject of the search warrant must be information associated with a user account on a platform and controlled by either the user or operator of a platform. The bill applies to platforms that have at least 1 million discrete monthly users, where users are allowed to construct a public profile, and where users create or post content. Platform users must reside in Colorado.

At a minimum, the streamlined process must:

- be available to law enforcement at all times;
- include a staffed hotline for law enforcement to contact that allows the platform to receive and respond to questions about search warrants;
- acknowledge the receipt of a search warrant within eight hours;
- provide status updates on search warrant compliance; and
- include contact information on the platform's home page that allows law enforcement to contact operators and initiate the streamlined search warrant process.

Operators have 72 hours to comply with search warrants, with some exceptions in current law. Courts may extend the time required to comply for good cause as long as the extension would not cause an adverse result. The Attorney General or district attorneys with jurisdiction are granted additional powers to address violations, including seeking a civil penalty of up to \$5,000 per violation.

State Revenue

Starting in FY 2026-27, the bill may increase state revenue from civil penalties.

Civil Penalties

Under the bill, revenue from civil penalties may increase if violations occur and the Attorney General or district attorneys seek civil penalties. This revenue is classified as a damage award and is not subject to TABOR. Given the uncertainty about the number of cases that may be pursued by the Attorney General and district attorneys, the fiscal note cannot estimate the potential impact of these civil penalties.

State Expenditures

Starting in FY 2026-27, the bill may minimally increase workload in the Department of Law and the Judicial Department.

Department of Law

Workload in the Department of Law will minimally increase if violations of the bill occur. The department will review violations under the bill and prioritize investigations as necessary within available resources. The fiscal note assumes that this can be accomplished within existing resources and that no change in appropriations is required.

Judicial Department

The trial courts in the Judicial Department may have an increase in cases filed if violations of the bill occur. It is assumed that operators of covered online platforms will abide by the law and that any violation of the legislation will result in minimal number of new cases. The fiscal note assumes that this can be accomplished within existing resources and that no change in appropriations is required.

Local Government

Similar to the state, if district attorneys receive complaints or choose to investigate potential violations under the bill, workload will increase to investigate and seek relief when appropriate. It is assumed most such cases will be handled at the state level by the Attorney General.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed, and applies to search warrants provided on or after this date.

State and Local Government Contacts

Corrections
Higher Education
Judicial
Law

Natural Resources
Public Safety
Revenue