



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 26-1422: SECURITY MEASURES FOR CERTAIN GOV ENTITIES

**Prime Sponsors:**

Rep. Clifford; Caldwell  
Sen. Coleman

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**Fiscal note status:** The fiscal note reflects the introduced bill. Due to time constraints, the estimates in this fiscal note are preliminary and may be revised as additional data is collected.

### Summary Information

**Overview.** The bill creates an Administrator of Legislative Safety for the Legislative Department, creates a special purpose authority to collect and distribute a court security surcharge, and makes other changes addressing the protection and security of elected officials and staff.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- State Revenue
- State Expenditures
- State Transfers
- TABOR Refunds
- Local Government
- Statutory Public Entity

**Appropriations.** For FY 2026-27, the bill requires an appropriation of \$195,004 to the Legislative Department.

**Table 1**  
**State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	-\$2,000,000
State Expenditures	\$226,872	-\$2,813,719
Transferred Funds	\$0	-\$1,915,743
Change in TABOR Refunds	\$0	-\$2,000,000
Change in State FTE	1.0 FTE	1.0 FTE

Fund sources for these impacts are shown in the tables below.

**Table 1A  
 State Revenue**

<b>Fund Source</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$0	\$0
Cash Funds	\$0	-\$2,000,000
<b>Total Revenue</b>	<b>\$0</b>	<b>-\$2,000,000</b>

**Table 1B  
 State Transfers**

<b>Fund Source</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$0	\$0
Cash Funds	\$0	-\$1,915,743
<b>Net Transfer</b>	<b>\$0</b>	<b>-\$1,915,743</b>

Funds are transferred to the Court Security Authority, a special purpose authority, resulting in a net reduction to state cash funds.

**Table 1C  
 State Expenditures**

<b>Fund Source</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
General Fund	\$195,004	-\$311,996
Cash Funds	\$0	-\$2,533,591
Federal Funds	\$0	\$0
Centrally Appropriated	\$31,868	\$31,868
<b>Total Expenditures</b>	<b>\$226,872</b>	<b>-\$2,813,719</b>
<b>Total FTE</b>	<b>1.0 FTE</b>	<b>1.0 FTE</b>

## **Summary of Legislation**

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The bill creates an Administrator of Legislative Safety for the Legislative Department and the Court Security Authority, a special purpose authority, to collect and distribute a court security surcharge for the Judicial Department. The bill addresses other issues of security at judicial and legislative facilities, and for the protection and security of elected officials and staff generally, as described below.

### **Administrator of Legislative Safety**

The bill authorizes the Legislative Department to hire an Administrator of Legislative Safety to serve as the primary contact on matters relating to personal safety and security, and to coordinate the protection of legislators and employees of the General Assembly with the Colorado State Patrol (CSP). The department may approve additional staff as needed.

The administrator must assess security needs and risks in and around the state capitol complex, for members in their legislative district, and for functions or events attended by legislators, staff, and other covered individuals. The administrator and any additional staff are peace officers whose authority includes enforcing all laws of the state, and who may be certified by the Police Officer Standards and Training (POST) Board in the Department of Law.

Other duties of the administrator include:

- consulting with the chambers of the General Assembly regarding the appointment, supervision and training of House and Senate Sergeants at Arms;
- providing training for individuals who provide security and protection services to covered individuals at the Capitol Complex;
- coordinating the installation of home security systems for legislators; and
- coordinating with the CSP to assess and plan for security needs related to town halls, district events, and other official functions attended by members and staff.

### **Court Security Authority**

Under current law, the Court Security Cash Fund Commission in the Judicial Department evaluates applications and makes recommendations to the State Court Administrator (SCA) for awarding grants from the Court Security Cash Fund. The fund is supported by a \$5 surcharge on docket fees and jury fees for specified civil actions, criminal convictions, probate filings, and on certain special proceeding filings, water matters, and traffic and civil infraction penalties. Grants from the fund are distributed to counties to supplement funding for the security of facilities containing a state court or probation office.

Effective September 1, 2027, the bill repeals the commission and cash fund and replaces it with the Court Security Authority as a special purpose authority. The state treasurer must transfer the existing balance of the cash fund to the authority. Starting with FY 2027-28, the bill repeals the existing \$5 surcharge on affected docket and jury fees and replaces it with a \$10 court security surcharge on all civil actions filed either in district or county court. The surcharge is transmitted by the courts to the authority.

The bill creates the seven-member Court Security Authority Board to replace the commission. The board evaluates applications and awards grants. The bill specifies appointing authorities, board composition, member terms, required meetings, and other powers and duties. The authority may contract with another agency for administrative assistance and staff. The SCA must reimburse the board from the Court Security Cash Fund for reasonable attorney fees and legal services received during FY 2026-27. After administrative expenses, the authority awards grants to counties, or directly to the SCA's office for general system-wide court security, including security support for judges and judicial staff outside of court facilities when necessary.

Beginning January 2028, the authority must prepare an annual report to the Chief Justice and the Judiciary Committees of the General Assembly detailing the use of security surcharges and the amount of grant funding awarded to counties and the SCA.

## **Judicial Security Task Force**

The SCA is required to convene a judicial security task force to develop recommendations for improving security at courthouses and other court and probation facilities. The task force must convene at least one public meeting which may be conducted virtually and submit a written report on its progress to the judiciary committees of the General Assembly. The task force may meet as needed until the task force's statutory repeal on December 31, 2028.

## **Felony Retaliation Against a Judicial Employee**

Under current law, making a credible threat or committing an act of harassment constitutes the crime of retaliation against a judge, a class 4 felony. This bill prohibits retaliation against current or former employees of the Judicial Department, their families and close relations. Retaliation against a judicial employee is a class 6 felony.

## **Personal Identifying Information**

Current law prohibits a person from knowingly posting personal identifying information concerning a protected person or their family on the internet. A violation of this prohibition is a class 1 misdemeanor. This bill expands the definition of protected persons to include elected and appointed officials of state or local governments, a current or former judge, a judicial

employee, or staff of the General Assembly. Protected persons may request that personally identifiable information be removed from private publications with specified conditions, and allows the person to seek judicial relief, damage awards, and attorney fees from violations.

## **Colorado State Patrol**

The bill makes conforming amendments to statutes related to the CSP in the Department of Public Safety, including clarifying that duties of the CSP extend to members of General Assembly, including employees or other persons designated by Legislative Council Committee, and requiring coordination with the Administrator of Legislative Safety. The bill clarifies that CSP jurisdiction also includes enforcement services for the Governor's executive residence.

## **City and County of Denver**

The bill clarifies that, in addition to the CSP, the city and county of Denver has jurisdiction to enforce state laws at the capitol complex.

## **Secretary of State**

The Department of State is no longer required to put certain candidates' disclosure statements online. Rather, this bill requires that the department make these statements available upon request.

## **County Courts Security**

The bill requires that county sheriffs providing security to district courts to adhere to the recommended standards of the Judicial Security Task Force, including the maintenance of one single point of access to court facilities, use of magnetometers when court is in session, and verifying that individuals entering a court with a firearm are authorized to do so.

## **Comparable Crime Analysis**

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Legislative Council Staff is required to include certain analysis in the fiscal note for any bill that creates a new crime, or that either reclassifies or creates a new factual basis for an existing crime. This section identifies comparable crimes and discusses assumptions on future conviction rates resulting from the bill.

## **Prior Conviction Data**

This bill creates the new offense of retaliation against a judicial employee, a class 6 Felony. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of retaliation against a judge as a comparable crime. From FY 2022-23 to FY 2024-25,

nine persons have been convicted and sentenced for this existing offense, all of which were male. Demographically, seven were White, one was Asian, and one was classified as "Other".

This bill creates a new factual basis for the existing prohibition against posting personally identifiable information of protected persons on the internet, a class 1 misdemeanor. From FY 2022-23 to FY 2024-25, zero offenders have been sentenced and convicted for this existing offense.

## Assumptions

This comparable crime analysis assumes that there will be a minimal increase in criminal case filings per year for the offense of retaliation against a judicial employee. Prohibited conduct is narrowly defined and it is assumed individuals will comply with the law. Any increase in felony filings is expected to be small and manageable within existing trial court resources.

For the expanded prohibition against posting personally identifying information of a protected person, zero offenders have been convicted in the past three fiscal years; therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill.

Due to these assumptions the bill is not expected to have a tangible impact on criminal justice related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit the [Fiscal Notes website](#) for more information about criminal justice costs in fiscal notes.

## State Revenue

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Beginning with FY 2027-28, the bill reduces state revenue in the Judicial Department by about \$2.0 million annually from a reduction in fee amounts across multiple affected docket fees. This fee revenue is currently deposited in the Court Security Cash Fund and is subject to TABOR.

## State Transfers

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On September 1, 2027, in FY 2027-28, the state treasurer must issue a warrant transferring the remaining balance of the repealed Court Security Cash Fund to the Court Security Authority. The estimated end fund balance available for transfer is \$1,915,743.

**State Expenditures**

In FY 2026-27, the bill increases state expenditures by about \$133,000. In FY 2027-28, the bill decreases state expenditures on net by \$1.9 million. Increased spending is in the Legislative Department to employ an Administrator of Legislative Safety, paid from the General Fund. Reduced spending in FY 2027-28 is in the Judicial Department from the Court Security Cash Fund and the General Fund. Workload also increases minimally for the Judicial Department and for the Department of Law. These impacts are described below.

**Table 2  
 State Expenditures  
 All Departments**

<b>Department</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Legislative Department	\$226,872	\$219,872
Judicial Department	\$0	-\$3,033,591
<b>Total Costs</b>	<b>\$226,872</b>	<b>-\$2,813,719</b>

**Legislative Department**

The Legislative Department will increase spending by about \$227,000 in FY 2026-27, and by about \$220,000 in FY 2027-28, to employ 1.0 FTE Administrator of Legislative Safety. This staff expenditure is from the General Fund. Personal services are displayed in Table 2A and include standard operating expenses and capital outlay.

**Table 2A  
 State Expenditures  
 Legislative Department**

<b>Cost Component</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Personal Services	\$186,724	\$186,724
Operating Expenses	\$1,280	\$1,280
Capital Outlay Costs	\$7,000	\$0
Centrally Appropriated Costs	\$31,868	\$31,868
<b>Total Costs</b>	<b>\$226,872</b>	<b>\$219,872</b>
<b>Total FTE</b>	<b>1.0 FTE</b>	<b>1.0 FTE</b>

## Centrally Appropriated Costs

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which may include employee insurance, supplemental employee retirement payments, indirect cost assessments, and other costs, are shown in Table 2A above.

## Judicial Department

### Court Security Grant Program Administration

Beginning FY 2027-28, the bill reduces expenditures in the Judicial Department by about \$3.0 million. This expenditure is for administration of the Court Security Commission and the distribution of grants to counties from the cash fund, and includes reductions of \$2.5 million from the Court Security Cash Fund and \$500,000 from the General Fund. By replacing the court security administration with the Court Security Authority, the bill reduces these expenditures in the Judicial Department.

### Judicial Security Task Force

The bill increases spending for the SCA to convene a security task force, conduct public meetings, and prepare a report and recommendations. This work can be accomplished within existing resources.

## Department of Law

The Department of Law will have a minimal increased in workload in FY 2026-27 for the P.O.S.T. board to review an application for certification and conduct a public hearing. This workload does not require additional appropriations.

## Statutory Public Entity

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Beginning FY 2027-28, the bill is estimated to increase fee revenue to the Court Security Authority by about \$4.07 million annually, from the \$10 surcharge on all docket fees in state or district court. After operational expenses, the authority will allocate remaining fee revenue to counties and to the SCA. The administrative cost of the authority has not yet been estimated and may be included in a revised fiscal note at a later date.

## **TABOR Refunds**

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By reducing fees collected by the Judicial Department and instead having security related docket fees collected by the Court Security Authority, the bill is expected to decrease the amount of state revenue required to be refunded to taxpayers by up to \$2 million in FY 2027-28. This amount may be offset to the extent that the new authority transmits funds to the Judicial Department for administrative services. At this time, an estimate of the authority's administrative costs is not available. This refund estimate assumes the March 2026 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2027-28. Because TABOR refunds are paid from the General Fund, decreased cash fund revenue will increase the amount of General Fund available to spend or save in FY 2027-28, and any future years when the state is over its revenue limit.

## **Local Government**

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Beginning FY 2027-28 there will be more revenue available to award to counties from the Court Security Authority, supplementing existing spending on security at county facilities containing courts or probation offices.

## **Effective Date**

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The bill takes effect upon signature of the Governor, or upon becoming law without his signature, except that sections 18 to 23 take effect July 1, 2027.

## **State Appropriations**

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For FY 2026-27, the bill requires a General Fund appropriation of \$195,004 to the Legislative Department, and 1.0 FTE.

## **State and Local Government Contacts**

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Judicial	Public Safety
Law	Secretary of State
Legislative Council Staff	Treasury

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).