



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1138: RETAIL THEFT PREVENTION PROGRAM

Prime Sponsors:

Rep. Woog; Espenosa

Fiscal Analyst:

Clayton Mayfield, 303-866-5851

clayton.mayfield@coleg.gov

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Fiscal note status: This revised fiscal note reflects the introduced bill, as amended by the House Judiciary and Appropriations Committees.

Summary Information

Overview. The bill creates an advisory board and grant program to address retail theft prevention in the Colorado Department of Public Safety.

Types of impacts. The bill is projected to affect the following areas from FY 2026-27 through FY 2029-30:

- State Revenue
- State Expenditures
- Local Government

Appropriations. No appropriation is required. The bill uses existing grant funding that has roll-forward spending authority.

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 creates an advisory board and grant program regarding retail theft in the Colorado Department of Public Safety (CDPS).

Advisory Board

The advisory board is created in CDPS to administer the Retail Theft Prevention Grant Program for local and state law enforcement agencies, district attorney offices, multijurisdictional or regional task forces, and tribal law enforcement agencies. The bill outlines the advisory board's membership and appointing authorities. Appointments must be made by September 1, 2026; the first meeting must occur by November 1, 2026; and the board may meet as frequently as it deems necessary. The division may enter into an intergovernmental operating agreement with the Department of Law (DOL) for the advisory board and the Colorado Retail Theft Task Force to share resources and coordinate activities related to reducing organized felony-level theft in the state. The CDPS must include a report on the grant program during its annual SMART Act hearing starting January 2028, until the program's repeal on November 1, 2029.

Retail Theft Prevention Grant Program

Grants may be used to investigate and prosecute organized felony-level retail theft or gift card fraud, develop or invest in technology to analyze felony-level retail theft and gift card fraud metrics, provide training or technical assistance to retailers or law enforcement agencies, or to develop prevention and deterrence initiatives. Grants must be paid out of gifts, grants, and donations received by the CDPS or funds available from the existing Crime Prevention Through Safer Streets Grant Program, for which the bill extends the repeal from July 1, 2027, to November 1, 2029. It also specifies that \$200,000 of any unspent appropriation for that program reverts to the General Fund and is unavailable for further expenditure by the CDPS on July 1, 2027.

Background

The Crime Prevention Through Safer Streets Grant Program was created by [Senate Bill 22-001](#) and was appropriated \$10.3 million General Fund. [Senate Bill 23-277](#) provided roll-forward spending authority for the initial appropriation until fully expended and set the program's repeal date to July 1, 2027. The CDPS has identified approximately \$350,000 in unspent money from this initial appropriation. Given the \$200,000 reversion requirement, the fiscal note assumes that the CDPS will have up to \$150,000 to spend on the Retail Theft Prevention Grant Program through November 1, 2029.

State Revenue

Starting in FY 2026-27, the bill potentially increases state revenue to the CDPS from gifts, grants, or donations; however, no sources have been identified at this time. Gifts, grants, and donations are exempt from TABOR revenue limits.

State Expenditures

The bill impacts state expenditures in the CDPS and workload in the Department of Law and the Governor's Office starting in FY 2026-27, as discussed below.

Department of Public Safety

From FY 2026-27 through FY 2028-29, the CDPS will have workload to administer the advisory board and oversee the grant program. This workload can be absorbed within existing resources and no change in appropriations is required. The CDPS will also have expenditures in the form of grant awards. These expenditures could be from gifts, grants, or donations received by the CDPS, or from the up to \$150,000 appropriation remaining available from the Crime Prevention Through Safer Streets Grants Program. For either source, no appropriation is required in this bill. Additionally, since awards are at the discretion of the CDPS, the fiscal note does not estimate when these awards will occur or for how much.

Other State Agencies

The DOL and the Governor's Office will have an increase in workload to coordinate with and make appointments to the advisory board, respectively. This increase is expected to be minimal, and no change in appropriations is required.

Local Government

Workload will increase for local law enforcement agencies who have representatives serving on the advisory board. Workload may also increase for agencies to collaborate with the advisory board on policy solutions. The exact impact will vary by jurisdiction, but is expected to be minimal.

Local governments may also see increased revenue and expenditures if local law enforcement agencies receive grants from the grant program.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

District Attorneys

Law

Governor's Office of Boards and
Commissions

Public Safety

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](#).