



**Colorado  
Legislative  
Council  
Staff**

**HB16-1263**

**FINAL  
FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-0418  
**Prime Sponsor(s):** Rep. Williams  
Sen. Ulibarri

**Date:** August 3, 2016  
**Bill Status:** Signed into Law  
**Fiscal Analyst:** Kerry White (303-866-3469)

**BILL TOPIC:** RACIAL PROFILING PROHIBITION

<b>Fiscal Impact Summary</b>	<b>FY 2015-2016 (Current Year)</b>	<b>FY 2016-2017</b>	<b>FY 2017-2018</b>
<b>State Revenue</b>			
<b>State Expenditures</b>	Workload increase.		
<b>Appropriation Required:</b> None.			
<b>Future Year Impacts:</b> None.			

**Summary of Legislation**

This bill modifies the prohibition in current law against racial profiling by changing the definition to include the practice of relying solely on race, ethnicity, gender, national origin, language, religion, sexual orientation, gender identity, age, or disability (listed characteristics) in determining:

- the existence of probable cause to place in custody or arrest an individual or in constituting a reasonable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a vehicle; or
- the scope, substance, or duration of an investigation or law enforcement activity to which a person will be subjected.

In addition, the bill clarifies that a peace officer may use age when making law enforcement decisions if the peace officer is investigating a juvenile status offense.

**State Expenditures**

Beginning in the current fiscal year, FY 2015-16, this bill may increase workload by a minimal amount in order to update training for peace officers and to respond to any complaints related to the newly prohibited practices. Peace officers are employed by the Departments of Corrections, Natural Resources, Public Safety, and Revenue, as well as institutions of higher education. Training of peace officers is overseen by the Peace Officers Standards and Training (POST) Board in the Department of Law.

**Local Government Impact**

Similar to state agencies, a minimal amount of workload may be incurred by local law enforcement agencies to make peace officers aware of the changes under HB16-1263 and to respond to complaints arising from newly prohibited behavior.

**Effective Date**

The bill was signed into law by the Governor and took effect on June 10, 2016.

**State and Local Government Contacts**

Corrections  
Higher Education  
Law  
Public Safety

Counties  
Information Technology  
Municipalities  
Revenue

District Attorneys  
Judicial  
Natural Resources  
Sheriffs