



Colorado
Legislative
Council
Staff

SB16-103

FISCAL NOTE

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

Drafting Number: LLS 16-0134
Prime Sponsor(s): Sen. Merrifield
Rep. Sias

Date: February 10, 2016
Bill Status: Senate Judiciary
Fiscal Analyst: Amanda Hayden (303-866-4918)

BILL TOPIC: CANADIAN DOMESTIC VIOLENCE PROTECTION ORDER ENFORCEMENT

Summary of Legislation

This bill, *recommended by the Colorado Commission on Uniform State Laws*, requires law enforcement officers to enforce Canadian domestic violence protection orders and to inform protected individuals of local victim services. The bill allows courts to enforce a Canadian domestic violence protection order if it identifies a protected individual and a respondent, is valid and in effect, was issued by a court with jurisdiction over the parties, and was issued after the respondent was given reasonable notice. The bill allows an individual to register a Canadian domestic violence protection order in the state by presenting a copy of the order to courts. When making a good faith effort to comply with the requirements under the bill, state agencies, law enforcement, prosecutors, and the courts are immune from civil and criminal liability for an act or omission related to the enforcement of Canadian domestic violence protection orders.

Background

The Colorado Commission on Uniform State Laws works with the national Uniform Law Commission (ULC) to promote uniformity in state laws where uniformity may be deemed desirable and practicable. This is achieved by developing proposed uniform legislation through the ULC that can be adopted by the various state legislatures. Colorado's commissioners are required to be attorneys admitted to practice law in Colorado. Members include six attorneys appointed or reappointed by joint resolution of the General Assembly; any Colorado citizen who is elected as a life member of the ULC (after twenty years of membership); and the Director of the Office of Legislative Legal Services, or the Director's designee. The Office of Legislative Legal Services provides assistance to the legislative members of the Colorado Commission in their efforts to enact legislation regarding uniform acts.

Under current law, courts enter all domestic violence protection orders into their systems, including those from foreign jurisdictions. These protection orders are then transmitted to the Colorado Crime Information Center and the National Crime Information Center.

Assessment

The courts already accept and enter foreign domestic violence protection orders, and law enforcement officers currently enforce foreign protection orders. No change to current practice is expected. As the bill has no affect on revenue, expenditures, or workload, it is assessed as having no fiscal impact.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Counties
Municipalities

Information Technology
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Judicial
Sheriffs