



**Colorado
Legislative
Council
Staff**

HB17-1179

FISCAL NOTE

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

Drafting Number: LLS 17-0074 **Date:** February 20, 2017
Prime Sponsor(s): Rep. Saine; Ginal **Bill Status:** House Health, Insurance, and
 Sen. Marble; Court Environment
Fiscal Analyst: Clare Pramuk (303-866-2677)

BILL TOPIC: IMMUNITY FOR EMERGENCY RESCUE FROM LOCKED VEHICLE

| Fiscal Impact Summary | FY 2017-2018 | FY 2018-2019 |
|--|------------------------|---------------------|
| State Revenue Cash Funds | Minimal decrease. | |
| State Expenditures | Reduction in workload. | |
| TABOR Impact | Minimal decrease. | |
| Appropriation Required: None. | | |
| Future Year Impacts: Ongoing reduction in state revenue and workload. | | |

Summary of Legislation

This bill provides immunity from civil and criminal liability for a person who renders emergency assistance to an at-risk person or dog or cat in a locked vehicle under certain circumstances. Immunity applies if:

- an at-risk person or animal is in a vehicle, and the person rendering assistance has a good faith belief that the person or animal is in danger;
- the person determines that the vehicle is locked and that forcible entry is necessary;
- the person makes a reasonable effort to locate the owner or operator of the vehicle;
- the person contacts law enforcement prior to forcibly entering the vehicle;
- the person uses no more force than necessary; and
- the person remains with the at-risk person or animal until law enforcement or other first responder arrives or leaves a note with the vehicle and contacts law enforcement with his or her information.

State Revenue and Expenditures

The bill may decrease workload for the Judicial Department beginning in FY 2017-18. It provides immunity from civil and criminal liability for property damage related to forcibly entering a vehicle, which may result in fewer trial court filings, fewer court fine or fees, and a reduced workload for the Judicial Department. Any reduction is expected to be minimal and does not require a reduction in appropriations for any agency within the Judicial Department.

TABOR Impact

This bill reduces state revenue from fees and fines, which will reduce the amount of money required to be refunded under TABOR for FY 2017-18 and FY 2018-19. TABOR refunds are paid out of the General Fund. Since the bill reduces the TABOR refund obligation without a corresponding change in General Fund revenue, the amount of money available in the General Fund for the budget will decrease by an identical amount.

Local Government Impact

This bill may reduce revenue, costs, and workload for local law enforcement and district attorneys by not having to make arrests or prosecute certain cases of property damage. In addition, to the extent any of these cases are heard in the Denver County Court, which is managed and funded separately from the state court system, workload and costs will decrease for the City and County of Denver.

Effective Date

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

District Attorneys
Municipalities

Information Technology
Public Safety

Judicial
Sheriffs