



Colorado
Legislative
Council
Staff

SB17-092

FISCAL NOTE

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

Drafting Number: LLS 17-0666
Prime Sponsor(s): Sen. Zenzinger
Rep. Melton

Date: January 25, 2017
Bill Status: Senate SVMA
Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: IMMUNITY PEACE OFFICER BACKGROUND CHECKS

Summary of Legislation

This bill requires that a candidate for a peace officer position sign a waiver that allows a hiring state or local law enforcement agency or the Department of Revenue to obtain all records about that candidate from a private entity. A private entity must respond to the records request within 21 days of receiving the waiver and may either provide copies of the records or allow the interviewing agency to inspect the files at the private entity's office. The private entity that employed the candidate is released from any liability related to the use and disclosure of the files and is not required to provide disclosures if there is a binding nondisclosure agreement that was in place prior to June 10, 2016. The private entity is not liable for complying with the waiver requirements or participating in an official oral interview with an investigator regarding the candidate.

Background

House Bill 16-1262 implemented the requirements set forth in Senate Bill 17-092 for law enforcement and government agency (public) employers.

Assessment

House Bill 16-1262 set forth the requirements to execute waivers and request information about prospective peace officer candidates from previous public employers. This analysis assumes that public employers are already interacting with private entities to obtain employment history about prospective peace officers, and this bill merely changes the process to align with that established under HB16-1262. As such, this bill 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

Corrections
Information Technology
Natural Resources
Sheriffs

Counties
Law
Public Safety

Higher Education
Municipalities
Revenue