



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1124

FISCAL NOTE

Drafting Number: LLS 19-0208
Prime Sponsors: Rep. Benavidez

Date: February 11, 2019
Bill Status: House Trans. & Local Govt.
Fiscal Analyst: Katie Ruedebusch | 303-866-3001
Katie.Ruedebusch@state.co.us

Bill Topic: PROTECT CO RESIDENTS FROM FEDERAL GOVERNMENT OVERREACH

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill prohibits state and local governments from assisting in the enforcement of federal immigration laws without a federal warrant. It increases state and local government workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

The bill prohibits the state or a political subdivision of the state from using public funds or resources to assist in the enforcement of federal civil immigration laws, including allowing federal immigration authorities access to secure areas of law enforcement facilities for investigation and interviews. However, employees of these organizations may cooperate with the execution of a federal warrant. In addition, the state or a political subdivision of the state cannot enter into a contractual agreement that would require employees to directly or indirectly assist in the enforcement of federal civil immigration laws. Finally, the bill prohibits law enforcement officers from arresting, detaining, or providing personal information on a person's immigration status based solely on violations of federal civil immigration laws.

State Expenditures

Beginning in FY 2019-20, the bill increases workload for the Department of Corrections and the Judicial Department on an ongoing basis.

Department of Corrections. The bill increases workload in the Department of Corrections in order to set up additional telephone interviews between federal authorities and inmates instead of custodial interviews. Any workload increases or costs associated with these activities can be accomplished within existing appropriations.

Judicial Department. The bill increases workload in the Division of Probation Services in the Judicial Department to determine whether or not a probationer has been deported without contacting federal immigration authorities. Additionally, workload will increase to adopt policies and procedures and provide staff training to ensure compliance with this bill. Finally, the bill increases workload in order to remove immigration enforcement officials from the department's government records access portal. Any workload increases or costs associated with these activities can be accomplished within existing appropriations.

Local Government

The bill may increase workload for local governments, especially local law enforcement agencies, to adopt policies and procedures and provide staff training to ensure compliance with this bill. In addition, the bill may decrease federal intergovernmental revenue to local government law enforcement agencies due to less cooperation with federal civil immigration authorities.

Effective Date

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

State and Local Government Contacts

All State and Local/non-state Agencies