



Legislative
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Nonpartisan Services for Colorado's Legislature

HB 20-1063

FISCAL NOTE

Drafting Number: LLS 20-0822
Prime Sponsors: Rep. Geitner

Date: February 7, 2020
Bill Status: House SVMA
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Bill Topic: **FUNDAMENTAL FAMILY RIGHTS IN COLORADO**

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

This bill establishes fundamental parental rights in Colorado, on which the state cannot place burdens, unless certain conditions are met. This bill increases state and local expenditures on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

This bill makes parental rights, or the right of a parent to direct the upbringing, education, and care of the parent's child, a fundamental right in Colorado. Before the state places a burden on a parent's parental right, it must first demonstrate that the action or law:

- is necessary to achieve a compelling governmental interest;
- narrowly tailored to achieve the governmental interest; and
- uses the least restrictive means to achieve the governmental interest.

State Expenditures

Starting in FY 2020-21, this bill will increase expenditures in the Judicial Department, Office of the Child's Representative, and the Office of Respondent Parents Council, and the Department of Law, as described below.

Judicial Department and Independent Child Welfare Agencies. To the extent child welfare cases become more complicated or there is an increase in litigation in these cases, costs and workload may increase in the Judicial Department and independent agencies. The fiscal note assumes that any changes in appropriations to any of these agencies will be handled through the annual budget process.

Department of Law. To the extent, there are more lawsuits against state agencies, workload in the Department of Law will increase in order to defend the agency. In addition, workload will increase to advise departments during the rulemaking process to determine if a rule is placing an undo burden on parental rights. The fiscal note assumes any changes in appropriations will be handled through the annual budget process.

Local Government

To the extent this bill makes child welfare cases more complicated, workload for county child welfare case workers will increase in order to attend more court hearings. In addition, school districts may be required to review or make changes to policies to ensure compliance with the bill.

Effective Date

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Counties
Judicial

Human Services
Law

Information Technology