



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1106

FISCAL NOTE

Drafting Number: LLS 20-0078
Prime Sponsors: Rep. Williams D.

Date: January 30, 2020
Bill Status: House Judiciary
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Bill Topic: LIMIT PUBLIC INSPECTION OF INTERNAL AFFAIRS REPORT

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input checked="" 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 limits public inspection of internal investigation records for exonerated peace officers. The bill may increase state and local revenue and workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

Under current law, completed peace officer internal investigation records are open for public inspection. This bill limits public inspection of internal investigation records for exonerated peace officers. Records of exonerated peace officers are only open to inspection if a court determines that the requester is a party with a viable interest in the investigation and has a compelling reason for wanting access. The bill allows agencies complying with these records requests to charge a reasonable fee beyond documentation and copying costs to complete the request.

State Revenue

To the extent that the bill results in state agencies employing peace officers assessing a reasonable fee for access to records, state revenue may increase. In addition, to the extent that the bill increases district court case filings, state cash fund revenue may increase. This revenue is subject to TABOR. These increases are expected to be minimal.

State Expenditures

The bill may increase workload for the trial courts in the Judicial Department to handle records-related case filings. This increase is expected to be minimal and can be absorbed within existing appropriations. Any impact of the bill on TABOR refunds, which are paid from the General Fund, is also expected to be minimal.

Local Government

To the extent that local governments charge reasonable fees for access to records, revenue may increase. This increase will vary by local government and has not been estimated. The bill may decrease workload for local governments to the extent that fewer public records requests are filed, which maybe offset by additional workload on remaining requests.

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

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