



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated January 26, 2023)

Drafting Number:	LLS 23-0616	Date:	April 17, 2023
Prime Sponsors:	Rep. English Sen. Fields	Bill Status:	Senate Health and Human Services
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Bill Topic: FAMILY TIME FOR GRANDPARENTS

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 allows appointments of legal representatives to represent children in matters involving grandparent family time. The bill may increase state and local expenditures.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This revised fiscal note reflects the reengrossed bill.

Summary of Legislation

Under current law, grandparents and great-grandparents can seek a court order for visitation rights in child custody cases or in cases that concern the allocation of parental responsibilities. The bill allows courts to appoint a legal representative to represent the child's best interest in these cases. The bill also requires courts to presume parental determinations regarding grandparent time are in the best interest of the child, but allows grandparents the opportunity to provide evidence to overcome this presumption.

The bill also changes the term "visitation" to "family time."

State Expenditures

Starting in FY 2023-24, workload for trial courts and costs for the Office of the Child's Representative may increase. These impacts to the Judicial Department are described below.

Trial courts. The trial courts will have additional workload to appoint child representatives and make related findings in some additional cases involving grandparent family time. However, considering that a child representative may already be appointed by courts in child custody cases and cases involving allocation of parental responsibility, and the low number of grandparent visitation cases filed annually, the workload impact to trial courts is expected to be minimal.

Child representative costs. Costs for the Office of the Child’s Representative may increase, depending on the number of additional appointments of child representative that would not have otherwise been made under current law. The Office of the Child’s Representative pays its contract attorneys \$100 per hour. The fiscal note assumes that costs are absorbable and that the Office of the Child’s Representative will request additional funding through the budget process, if needed, based on actual caseload.

Local Government

The bill will increase workload and costs for county departments of human services to the extent that there are longer or more hearings held in dependency and neglect cases where a grandparent files a petition. Overall, this impact to counties is assumed to be minimal.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Child Welfare
Information Technology

Counties

Human Services