



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Final Fiscal Note

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<b>Drafting Number:</b>	LLS 23-0431	<b>Date:</b>	July 7, 2023
<b>Prime Sponsors:</b>	Rep. Duran; Weissman Sen. Roberts; Winter F.	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** **CASES OF DOMESTIC VIOLENCE IN MUNICIPAL COURT**

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**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 creates new requirements for domestic violence cases heard in municipal courts. The bill increases state and local expenditures on an ongoing basis.

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**Appropriation Summary:** No appropriation is required.

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**Fiscal Note Status:** The fiscal note reflects the enacted bill.

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## Summary of Legislation

The bill creates new requirements for municipal courts in domestic violence proceedings. These requirements include that:

- victims, their families, and witnesses receive protections equivalent to those in state law;
- sentences are equivalent to those in state law;
- conditions of probation and release on bond are consistent with equivalent state laws;
- any guidelines and standards are consistent with those adopted by the Domestic Violence Offender Management Board; and
- a prosecutor makes a reasonable effort to remain as the prosecutor throughout the case.

The bill also requires that municipal courts issue a protection order in criminal domestic violence proceedings and report alleged violations to the Colorado Bureau of Investigation. Municipalities that have domestic violence laws are subject to compliance enforcement from the Attorney General. Affected individuals may refer their case to the Crime Victim Services Advisory Board for enforcement purposes.

Finally, the bill requires the Department of Public Safety to report to the legislature the number of domestic violence reports and inquiries submitted by municipalities in on an annual basis between 2025 and 2029.

## State Expenditures

The bill increases workload to Department of Public Safety (DPS) in FY 2023-24 and ongoing. DPS will report domestic violence data on an annual basis to the legislature as part of their SMART Act hearings. This additional workload is assumed to be minimal. Additionally, the Judicial Department will have a minimal increase in workload for additional reporting requirements. Finally, the Attorney General will have an increase in enforcement duties if a municipality violates these new requirements. The fiscal note assumes municipalities will comply with new requirements.

## Local Government

The additional requirements for municipal courts that hear domestic violence proceedings will increase workload for municipal courts. Exact costs will vary by municipality, and are expected to be accomplished within the normal course of business.

## Effective Date

The bill was signed into law by the Lieutenant Governor on May 25, 2023 and takes effect on January 1, 2024, assuming no referendum petition is filed and applies to domestic violence offenses committed after January 1, 2024.

## State and Local Government

Counties	District Attorneys	Judicial
Municipalities		