



**Colorado
Legislative
Council
Staff**

SB16-013

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0762
Prime Sponsor(s): Sen. Newell
 Rep. Singer

Date: January 22, 2016
Bill Status: Senate Judiciary
Fiscal Analyst: Bill Zepernick (303-866-4777)

BILL TOPIC: CLEAN-UP OFFICE OF THE CHILD PROTECTION OMBUDSMAN

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Minimal workload increase.	
FTE Position Change		
Appropriation Required: None.		
Future Year Impacts: Minimal ongoing workload increase.		

Summary of Legislation

The bill makes several changes in statute concerning the Office of the Child Protection Ombudsman (Ombudsman's Office), including:

- clarifying that the Child Protection Ombudsman Board (board) is advisory in nature;
- shifting responsibility for certain policies and procedures from the board to the Ombudsman's Office;
- clarifying certain duties and the relationship between the Ombudsman's Office and the Judicial Department;
- specifying that the ombudsman cannot be subpoenaed by independent parties to testify in proceedings concerning allocation of parental responsibility; and
- removing the requirement that the state auditor conduct an audit of the Ombudsman's Office by 2019; instead, an audit can be conducted at the discretion of the Legislative Audit Committee.

Background

The Office of the Child Protection Ombudsman was created in 2010 to serve as an independent and neutral organization to investigate complaints and grievances about child protection services, make recommendations about system improvements, and serve as a resource for persons involved in the child welfare system. As of January 1, 2016, Senate Bill 15-204 transferred the Ombudsman's Office into the Judicial Department as an independent agency. Previously, the Ombudsman's Office operated as a non-profit organization under contract with the Department of Human Services.

State Expenditures

The bill increases workload in the Ombudsman's Office and the Judicial Department by a minimal amount. It reduces the workload for required audits in the Office of the State Auditor. These changes are expected to be minimal and no changes in appropriations are required. The changes are described below.

Ombudsman's Office and Judicial Department. First, by shifting certain responsibilities for office policies away from the board, workload in the Ombudsman's Office is increased. Second, by allowing certain administrative functions concerning payroll and personnel to be provided by the Judicial Department for the Ombudsman's Office, there will be a minimal increase in workload for the Office of the State Court Administrator. Workload for these tasks will decrease correspondingly in the Ombudsman's Office, to the extent that these services are provided by the Judicial Department.

Office of the State Auditor. The bill eliminates a required audit of the Ombudsman's Office by the Office of the State Auditor. This will free up staff time in the Office of the State Auditor to conduct other audits at the discretion of the Legislative Audit Committee, which could potentially include an audit of the Ombudsman's Office.

Effective Date

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

State and Local Government Contacts

Judicial Office of Information Technology State Auditor