



**Colorado  
Legislative  
Council  
Staff**

**SB17-092**

**FINAL  
FISCAL NOTE**

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

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**Drafting Number:** LLS 17-0666  
**Prime Sponsor(s):** Sen. Zenzinger  
Rep. Melton

**Date:** June 8, 2017  
**Bill Status:** Postponed Indefinitely  
**Fiscal Analyst:** Kerry White (303-866-3469)

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**BILL TOPIC:** IMMUNITY PEACE OFFICER BACKGROUND CHECKS

**NOTE:** This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

### **Summary of Legislation**

This bill requires that a candidate for a peace officer position sign a waiver that allows a hiring state or local law enforcement agency or the Department of Revenue to obtain all records about that candidate from a private entity. A private entity must respond to the records request within 21 days of receiving the waiver and may either provide copies of the records or allow the interviewing agency to inspect the files at the private entity's office. The private entity that employed the candidate is released from any liability related to the use and disclosure of the files and is not required to provide disclosures if there is a binding nondisclosure agreement that was in place prior to June 10, 2016. The private entity is not liable for complying with the waiver requirements or participating in an official oral interview with an investigator regarding the candidate.

### **Background**

House Bill 16-1262 implemented the requirements set forth in Senate Bill 17-092 for law enforcement and government agency (public) employers.

### **Assessment**

House Bill 16-1262 set forth the requirements to execute waivers and request information about prospective peace officer candidates from previous public employers. This analysis assumes that public employers are already interacting with private entities to obtain employment history about prospective peace officers, and this bill merely changes the process to align with that established under HB16-1262. As such, this bill is assessed as having no fiscal impact.

### **Effective Date**

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on February 6, 2017.

**State and Local Government Contacts**

Corrections  
Information Technology  
Natural Resources  
Sheriffs

Counties  
Law  
Public Safety

Higher Education  
Municipalities  
Revenue