



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 22-0761
Prime Sponsors: Rep. Luck

Date: June 27, 2022
Bill Status: Postponed Indefinitely
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Bill Topic: **SHERIFFS' AUTHORITY IN RELATION TO FEDERAL GOVERNMENT**

Summary of Fiscal Impact:

- | | |
|--|--|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input type="checkbox"/> State Expenditure | <input checked="" type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill would have required certain federal government employees to obtain authorization from sheriffs before executing warrants. It would have increased workload in local governments beginning in FY 2022-23.

Appropriation Summary: No appropriation would have been required.

Fiscal Note Status: The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill requires any federal government employee who is not designated as a peace officer in Colorado to receive authorization from the sheriff before executing an arrest warrant or search warrant in the sheriff's jurisdiction. The bill specifies requirements for requesting authorization and exceptions.

Local Government

Workload will increase in sheriff's offices to review and approve requests authorized by the bill. The fiscal note assumes that the number of requests will be small, and that this workload will be minimal.

Technical Note

The Supremacy Clause of the U.S. Constitution establishes that federal law takes precedence over state law; therefore federal employees may not abide by these requirements when acting under the authority of federal law.

Effective Date

This bill was postponed indefinitely by the House Judiciary Committee on March 16, 2022.

State and Local Government Contacts

Law

Sheriffs