



**Legislative Council Staff**

*Nonpartisan Services for Colorado's Legislature*

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**Final Fiscal Note**

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<b>Drafting Number:</b>	LLS 24-0595	<b>Date:</b>	May 28, 2024
<b>Prime Sponsors:</b>	Sen. Priola; Baisley Rep. Parenti; Weinberg	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** **PROHIBIT UNAUTHORIZED USE PUBLIC SAFETY RADIO**

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<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill creates a misdemeanor for unauthorized access of public safety radio networks. Starting in FY 2024-25, the bill increases state and local revenue and expenditures.

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

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**Fiscal Note Status:** The final fiscal note reflects the enacted bill, which was recommended by the Joint Technology Committee.

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### Summary of Legislation

The bill creates a class 2 misdemeanor for knowingly transmitting or receiving a signal on a public safety radio network without authorization. This does not include using passive listening devices or scanners.

### Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. Using Judicial Department data, the following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

**Prior conviction data and assumptions.** This bill creates the new offense of unlawful affiliation with a public safety radio network, a class 2 misdemeanor. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of intercepting telecommunications signals, a class 2 misdemeanor, as a comparable crime. From FY 2020-21 to FY 2022-23, zero offenders have been sentenced and convicted for this existing offense; therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill. Visit [leg.colorado.gov/fiscalnotes](https://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## **State Revenue and Expenditures**

Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue and expenditures. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons, are assumed to be minimal and no change in appropriations is required.

## **Local Government**

Similar to the state, it is expected that any workload or cost increases for district attorneys to prosecute any new offenses, or for county jails to imprison additional individuals under the bill will be minimal. District attorney offices and county jails are funded by counties.

## **Effective Date**

The bill was signed into law by the Governor on May 1, 2024, and takes effect on August 7, 2024, assuming no referendum petition is filed.

## **State and Local Government Contacts**

District Attorneys

Judicial

Public Safety

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).