



**Colorado
Legislative
Council
Staff**

HB17-1230

FISCAL NOTE

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

Drafting Number: LLS 17-0362 **Date:** March 14, 2017
Prime Sponsor(s): Rep. Salazar; Esgar **Bill Status:** House Judiciary
 Sen. Guzman; Kagan **Fiscal Analyst:** Amanda Hayden (303-866-4918)

BILL TOPIC: PROTECT CO RESIDENTS FROM FEDERAL GOV OVERREACH

Fiscal Impact Summary	FY 2016-2017 <i>(current year)</i>	FY 2017-2018	FY 2018-2019
State Revenue			
State Expenditures	Workload increase.		
Appropriation Required: None.			
Future Year Impacts: Ongoing workload increase.			

Summary of Legislation

This bill requires a state or political subdivision therein to determine the legality and constitutionality of any request from the federal government concerning a Colorado resident's race, ethnicity, national origin, immigration status, or religious affiliation (personal information) before complying with such a request. The bill mandates that neither the state nor any political subdivision therein can aid or assist the federal government in:

- creating, maintaining, or updating a registry of Colorado residents' personal information, except with regard to the U.S. Census Bureau;
- marking or otherwise placing a physical or electronic identifier on a person based on his or her personal information;
- holding or imprisoning a person without probable cause or due process (internment) for longer than 48 hours based on his or her personal information; or
- arresting or detaining individuals for noncriminal offenses based on their personal information.

No state or local lands or resources can be used for internment of individuals based on their personal information.

State Expenditures

Beginning in the current FY 2016-17, this bill may increase workload for state agencies to determine whether requests for personal information of Colorado residents are legal and constitutional. The bill may also require the Department of Law to provide guidance and assistance

to state agencies on compliance with the bill. Any change in workload is assumed to be minimal and conditional upon certain actions by the federal government. No change in appropriations for any state agency is required. Should any agency require additional appropriations as a result of future federal action, the fiscal note assumes the agency will request them through the annual budget process.

Local Government Impact

The bill may increase workload for local governments, especially law enforcement agencies, to adapt policies and procedures to ensure compliance with the bill. This increase in workload is assumed to be minimal.

Effective Date

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

State and Local Government Contacts

All State Agencies
Municipalities
Special Districts

Counties
School Districts

Judicial
Sheriffs