



**Colorado
Legislative
Council
Staff**

HB17-1039

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 17-0367
Prime Sponsor(s): Rep. Lee
Sen. Kagan

Date: May 24, 2017
Bill Status: Signed into Law
Fiscal Analyst: Amanda Hayden (303-866-4918)

BILL TOPIC: RESTORATIVE JUSTICE COMMUNICATION ISSUES

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
State Expenditures	Workload increase.	
Appropriation Required: None.		
Future Year Impacts: Ongoing workload increase.		

Summary of Legislation

The bill allows district attorneys to agree, in plea discussions with an offender, to consent to an assessment for suitability for participation in restorative justice practices. It also requires probation officers to indicate in presentence investigation reports whether the offender meets the minimum eligibility requirements for participation in restorative justice practices.

Background

Restorative justice refers to practices that emphasize restoring the harm caused by offenders to victims and the community. These practices aim to engage all parties to an offense—including the offender, the victim, their families, and the community—in a voluntary dialogue. This dialogue is intended to give the offender the opportunity to accept responsibility for the harm caused to the victim and the community, to promote victim healing, and to enable the participants to agree on consequences, which may include apologies, community service, reparation, and counseling, among others.

House Bill 07-1129 created a state level Restorative Justice Coordinating Council in the Judicial Department to provide training, technical assistance, and education and to promote the development of restorative justice programs. There are programs for both adult and juvenile offenders.

State Expenditures

This bill increases workload by a minimal amount in the Judicial Department. Probation services must indicate in presentence investigation reports if an offender meets the minimum requirements for participation in restorative justice programs. This increase in workload does not require any change in appropriations in the Judicial Department.

Effective Date

The bill was signed into law by the Governor on March 20, 2017, and takes effect August 9, 2017, assuming no referendum petition is filed.

State and Local Government Contacts

District Attorneys

Information Technology

Judicial