



**Colorado  
Legislative  
Council  
Staff**

**HB17-1039**

**REVISED  
FISCAL NOTE**

(replaces fiscal note dated January 31, 2017)

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

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

**Date:** February 23, 2017  
**Bill Status:** Senate Judiciary  
**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.	
<b>Appropriation Required:</b> None.		
<b>Future Year Impacts:</b> Ongoing workload increase.		

**Summary of Legislation**

The **reengrossed** 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 takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

**State and Local Government Contacts**

District Attorneys

Information Technology

Judicial