



**Colorado  
Legislative  
Council  
Staff**

**HB17-1230**

**FINAL  
FISCAL NOTE**

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

**Drafting Number:** LLS 17-0362 **Date:** June 21, 2017  
**Prime Sponsor(s):** Rep. Salazar; Esgar **Bill Status:** Postponed Indefinitely  
 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.		
<b>Appropriation Required:</b> None.			
<b>Future Year Impacts:</b> Ongoing workload increase.			

**NOTE: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.**

**Summary of Legislation**

The 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 (inherent characteristic) 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' inherent characteristics, except in certain specified circumstances;
- marking or otherwise placing a physical or electronic identifier on a person based on his or her inherent characteristics;
- holding or imprisoning a person without probable cause or due process (internment) for longer than 48 hours based on his or her inherent characteristics; or
- arresting or detaining individuals for noncriminal offenses based on their inherent characteristics.

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

**State Expenditures**

Beginning in the current FY 2016-17, this bill may increase workload for state agencies to determine whether requests for inherent characteristics 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 was postponed indefinitely by the Senate Judiciary Committee on April 10, 2017.

**State and Local Government Contacts**

All State Agencies  
Municipalities  
Special Districts

Counties  
School Districts

Judicial  
Sheriffs