



**Colorado
Legislative
Council
Staff**

SB17-051

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 17-0674 **Date:** June 22, 2017
Prime Sponsor(s): Sen. Fields; Gardner **Bill Status:** Signed into Law
 Rep. Foote; Lawrence **Fiscal Analyst:** Kerry White (303-866-3469)

BILL TOPIC: REVISIONS TO VICTIMS' RIGHTS LAWS

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

Summary of Legislation

This bill modifies current law concerning the rights of crime victims. The bill adds three new offenses to the definition of "crime" to include: failure to stop at the scene of an accident that results in serious bodily injury of another person; violation of a protection order issued against a person charged with stalking; and posting a private image for harassment or monetary gain. The bill updates the definition of "modification of sentence" to include a resentencing following a probation revocation hearing or request for early termination of probation.

The bill creates a victim's right to be informed of:

- any request for progression from the state mental health hospital on behalf of a person in its custody as a result of a criminal case involving the victim, and to be heard at a hearing during which a court considers such a request;
- upon written request of the victim, of a full parole board review at which any postconviction release from confinement in a secure state correctional facility is being considered;
- the results of a probation or parole revocation hearing; and
- any decision by the Parole Board and any decision by the Governor to commute the sentence of or pardon a person convicted of a crime against the victim;
- and the right to be present for and heard at any scheduled juvenile parole hearing; and
- the date, time, and location of a scheduled execution.

A number of additional victim notifications are established under the bill, including notifications related to:

- pending motions or decisions by the district attorney to sequester the victim from a critical stage in the case, if practicable;

- information from the state mental health hospital concerning the custody and release of an offender who was ordered by a court into the hospital's custody;
- information about juvenile parole hearings, release decisions, and any placement change that occurs during the juvenile's parole that may affect the victim's safety as determined by the Division of Youth Corrections; and
- any court-ordered change in the terms and conditions of probation.

In certain circumstances, the bill allows victims to provide testimony for a direct sentence or transitional referral to community corrections via phone or similar technology, provided sufficient notice is made.

State Expenditures

This bill may increase workload for the trial courts in the Judicial Department, the Governor's Office, and the Department of Human Services to make required notifications. These minimal workload increases do not require a change in appropriations for any state agency.

Local Government Impact

In the same manner as affected state agencies, this bill increases costs and workload by a minimal amount for district attorneys to make required notifications.

Effective Date

The bill was signed into law by the Governor on April 28, 2017, and takes effect August 9, 2017, assuming no referendum petition is filed.

State and Local Government Contacts

Corrections
Governor
Judicial
Sheriffs

Counties
Human Services
Municipalities

District Attorneys
Information Technology
Public Safety