



Legislative
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Nonpartisan Services for Colorado's Legislature

HB 18-1028

**FINAL
FISCAL NOTE**

Drafting Number:	LLS 18-0179	Date:	August 20, 2018
Prime Sponsors:	Rep. Kraft-Tharp; Wist Sen. Court; Tate	Bill Status:	Signed into Law
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Bill Topic: AG DECEPTIVE PRACTICE COURT ORDER

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure (Minimal)	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill permits the Attorney General's Office to request court orders to enforce compliance with investigations into potential deceptive trade practices. The bill increases workload and costs for the Attorney General's Office and the trial courts within the Judicial Department. These ongoing impacts are assumed to be minimal.

**Appropriation
Summary:** No appropriation is required.

**Fiscal Note
Status:** This fiscal note reflects the introduced bill.

Summary of Legislation

Under current law, a court may order compliance with an investigation when it is necessary to terminate or prevent a deceptive trade practice. This bill specifies that the basis for an application for a court order is that one is necessary to investigate a deceptive trade practice.

Background

The Attorney General's Office in the Department of Law and district attorneys prosecute deceptive trade practice cases, which may be civil or criminal in nature. For criminal cases, district attorneys can enforce compliance with an investigation through various means including court rules governing subpoenas, a search warrant, a court order for the production of records, or a grand jury subpoena, among others.

State Expenditures

Beginning in the current FY 2017-18, this bill is anticipated to increase workload and costs for the Department of Law and trial courts within the Judicial Department as described below.

Department of Law. The bill expands the basis by which the Attorney General's Office can request court orders to enforce the investigation of potential deceptive trade practice cases. To the extent that this occurs, workload and costs will increase. This analysis assumes that any additional cases pursued will be minimal and the workload and costs can be accomplished within existing appropriations.

Judicial Department. To the extent that the Attorney General's Office requests additional court orders, workload for the trial courts will increase. This workload increase is assumed to be minimal and does not require an increase in appropriations.

Effective Date

The bill was signed into law by the Governor and took effect on March 15, 2018.

State and Local Government Contacts

District Attorneys
Judicial

Governor
Law

Information Technology