



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 18-1346

REVISED FISCAL NOTE

(replaces fiscal note dated April 6, 2018)

Drafting Number:	LLS 18-0958	Date:	April 24, 2018
Prime Sponsors:	Rep. Singer; Landgraf Sen. Smallwood; Kefalas	Bill Status:	Senate Health and Human Services
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Bill Topic: ABUSE OF YOUTH UNDER 21 IN CARE OF INSTITUTION

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

This bill requires the Colorado Commission on Criminal and Juvenile Justice to study institutional child abuse and expands the definition of institutional abuse to include abuse against youths who are between the age of 18 and 21 and are cared for in a facility. The bill will increase state and local revenue and expenditures on an ongoing basis.

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

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

Summary of Legislation

This bill requires the Colorado Commission on Criminal and Juvenile Justice (CCJJ) to study the issue of institutional child abuse in facilities operated by the Department of Human Services (DHS) and to report to the General Assembly by July 1, 2019. The bill also adds "youth in a facility" to the definition of institutional abuse. "Youth in a facility" is defined as a person younger than 21 who is being cared for in:

- a residential child care facility;
- a specialized group facility;
- a foster care home;
- non-certified kinship care; or
- a facility or community placement for a youth committed to the custody of the state Department of Human Services.

Background

Under current law, institutional abuse is defined as abuse that occurs in any public or private facility in the state that provides child care out of the home, supervision, or maintenance. If an investigation finds that institutional abuse has occurred, the investigation may:

- request that the owner, operator, or administrator formulate a plan of remedial action;
- request that the owner, operator, or administrator make administrative, personnel, or structural changes at the facility; or
- recommend to the licensing, overseeing, certificating, or authorizing entity that appropriate sanctions or actions be imposed against the facility.

State Expenditures

In FY 2018-19, workload will increase for the CCJJ, in the Department of Public Safety, to study the issue of institutional child abuse. Workload will also increase for the Department of Human Services, starting in FY 2018-19, to update rules to include "youth in a facility" to the definition of institutional abuse and to work with counties to implement the expanded definition. It is assumed that increases in workload will be accomplished within existing appropriations.

Local Government

The bill will impact local revenue, expenditures, and workload to local governments as discussed below.

Local investigations. County departments of human and social services will see an increase in workload and expenditures to complete more assessments and investigations to the extent that the bill increases reports of institutional abuse concerning youth between 18 to 21 years old.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Corrections	Counties	District Attorneys
Human Services	Judicial	Public Safety