



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FINAL FISCAL NOTE

Drafting Number:	LLS 18-1132	Date:	June 26, 2018
Prime Sponsors:	Sen. Gardner Rep. Gray; Carver	Bill Status:	Vetoed by Governor
		Fiscal Analyst:	Chris Creighton 303-866-5834 Chris.Creighton@state.co.us

Bill Topic: AUTOPSY REPORTS DEATH OF A MINOR

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

Under this bill, an autopsy report on the death of a minor cannot be disclosed by the coroner to any other person or entity, except in specified circumstances. This bill decreases county revenue and increases county workload by a minimal amount.

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

**Fiscal Note
Status:** This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect. This final fiscal note reflects the reengrossed version of the bill.

Summary of Legislation

Under this bill, an autopsy report on the death of a minor cannot be provided by the coroner to any other person or entity, except in the following instances to:

- a parent or legal guardian, if a written request is submitted in addition to an affidavit signed by the parent or guardian verifying their relationship to the deceased;
- any law enforcement, criminal justice agency, or district attorney that is investigating the death, or prosecuting a criminal violation upon request from the agency;
- a party in a civil case, if the party demonstrates to the court that the autopsy report is discoverable, upon entry of an order to the court and in accordance with any protective order necessary to limit the identity of the deceased, and any other personal identifying information;
- counsel for the defendant or the defendant if he or she is not represented for discovery in a criminal case upon entry of a order of the court;
- a local or regional child fatality prevention review team upon it's request;
- the Department of Public Health and Environment as necessary for the collection of data in accordance with the Colorado Violent Death Reporting System;
- the Colorado Child Fatality Review Team upon request of the team;
- a county department of human or social services in connection with an investigation of alleged abuse or neglect of a minor;
- the Division of Youth Services in the Department of Human Services in connection with a state owned or operated fatality investigation;
- a community clinic for inclusion in medical records;

- an eye bank, organ procurement organization, or tissue bank; or
- a local or regional domestic violence fatality review team or the Colorado Domestic Violence Fatality Review Board upon request of the team or board.

Local Government

County coroners typically charge a fee to provide a copy of an autopsy report. This fee may differ by county depending on relationship of the requester to the deceased, but is generally between \$5 and \$25. Beginning in FY 2018-19, to the extent that this bill decreases the number of autopsy reports provided on a minor, county fee revenue will decrease. This bill also increases county coroner costs and workload in FY 2018-19 only to update policies, procedures, and forms related to the requesting of an autopsy report. Workload increases on an ongoing basis to review each request to ensure autopsy reports on a minor are only released under allowable circumstances. Overall, these impacts are assumed to be minimal.

Effective Date

This bill was vetoed by the Governor on June 1, 2018.

State and Local Government Contacts

Counties	District Attorneys
Judicial	Public Health and Environment