



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number:	LLS 19-0957	Date:	March 18, 2019
Prime Sponsors:	Rep. Gonzales-Gutierrez; Catlin Sen. Coram; Rodriguez	Bill Status:	House SVMA
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Bill Topic: ALIGNING INDIAN CHILD WELFARE ACT REQUIREMENTS

Summary of Fiscal Impact: **No fiscal impact.** This bill aligns state law with federal guidelines. The bill has no impact on state and local revenue and expenditures.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

This bill aligns state law with the updated federal guidelines under the Indian Child Welfare Act (ICWA). Changes include placing affirmative duty on the court to make an inquiry into whether a child is subject the ICWA; allowing the petitioning party to use certified mail, instead of registered mail; requiring any response by tribal agents to be distributed to all parties and the court; and changing guidelines for how the court determines if the child is an Indian child.

Assessment of No Fiscal Impact

This bill aligns state law with current practice under the federal IWCA. Because the state DHS, the courts, and county departments of human services are generally already compiling with federal law, the bill will have no effect on state and local revenue or expenditures. Therefore, this bill is assessed as having no fiscal impact.

Effective Date

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

State and Local Government Contacts

Counties	Human Services	Information Technology
Judicial	Public Safety	