



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**HB 19-1305**

# FINAL FISCAL NOTE

<b>Drafting Number:</b>	LLS 19-1080	<b>Date:</b>	July 11, 2019
<b>Prime Sponsors:</b>	Rep. McLachlan; Catlin Sen. Gonzales; Coram	<b>Bill Status:</b>	Vetoed by Governor
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**Bill Topic:** TRIBAL ENTITY EMERGENCY CHILD WELFARE CRIMINAL HISTORY CHECK

**Summary of Fiscal Impact:**

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

This bill would have clarified that tribal departments of human services and law enforcement agencies may conduct criminal history background checks of persons who will be taking a child in an emergency placement. The bill may have increased state revenue and state and local expenditures and workload on an ongoing basis.

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

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

## Summary of Legislation

Under current law, if a county department of human services or a local law enforcement agency places a child in emergency placement, that entity must conduct the following checks on the person who will be taking the child:

- an initial criminal history records check;
- a criminal fingerprint background check; and
- a check on current criminal charges, child abuse, and sex offender registry.

This bill clarifies that tribal departments of human services or law enforcement agencies may conduct these background checks on a person who will take a child in an emergency placement.

## State Revenue and Expenditures

To the extent that this bill results in additional background checks, revenue to and expenditures from the Colorado Bureau of Investigation Identification Unit Cash Fund in the Department of Public Safety will increase starting in the current FY 2018-19. The current fee for a fingerprint background check is \$39.50, which includes \$11.25 for a Federal Bureau of Investigation fingerprint-based check that is passed on to that federal agency and exempt from TABOR. The fiscal note assumes that the bill does not change the frequency of background checks, and that any change to revenue and workload will be minimal.

## Local and Other Government Impacts

To the extent that tribal departments of human services or law enforcement agencies begin processing background checks for emergency placements, workload for these tribal entities will increase. If this work was currently facilitated by county departments of human services or local law enforcement, then these agencies will now process fewer checks. The fiscal note assumes that any increase in costs and workload will be minimal.

## Effective Date

The bill was vetoed by the Governor on May 31, 2019.

## State and Local Government Contacts

Counties      Human Services      Information Technology      Public Safety