



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 19-1029 Date: April 15, 2019
Prime Sponsors: Rep. Gonzales-Gutierrez; Michaelson Jenet; Sen. Gonzales Bill Status: House Judiciary Fiscal Analyst: Ariel Hammerquist | 303-866-3469 Ariel.Hammerquist@state.co.us

Bill Topic: ADMISSIBILITY OF STATEMENTS BY A JUVENILE

- Summary of Fiscal Impact: State Revenue (minimal), State Expenditure (minimal), State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill makes changes to the admissibility of statements by a juvenile. This bill minimally increases state workload and decreases state revenue on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

Under current law, statements by a juvenile concerning a delinquent act are admissible against the juvenile so long as the juvenile was accompanied by an adult, even if that adult was shown to have an interest that was adverse to the juvenile. This bill allows juveniles to assert that statements made during the custodial interrogation are inadmissible because the responsible adult present during the interrogation had an adverse interest to the juvenile.

State Revenue

Beginning in FY 2019-20, this bill may reduce state revenue from probation supervision fees to the extent less juvenile are adjudicated and sentenced to probation. This impact is assumed to be minimal.

State Expenditures

Beginning in FY 2019-20, this bill will increase workload for trial courts in the Judicial Department from additional motions seeking suppression of a juvenile's statement. In addition, this bill potentially reduces expenditures for the Division of Probation as a case previously adjudicated and

sentenced to probation as a result of an admissible statement may not result in adjudication under this bill. The Division of Youth Services in the Department of Human Services will also see a decrease in workload if fewer juveniles are adjudicated. These impacts are minimal and can be accomplished within existing resources.

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
Local Affairs
Office of the Child's Representative

District Attorneys
Judicial
Municipalities