



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

REVISED FISCAL NOTE

(replaces fiscal note dated January 17, 2020)

Drafting Number: LLS 20-0295 Date: June 3, 2020
Prime Sponsors: Sen. Pettersen; Priola Bill Status: Senate Second Reading
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Bill Topic: SUBSTANCE USE DISORDER RECOVERY

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

This bill modifies the definition of "child abuse or neglect" in regards to substance exposure. This bill increases state expenditures on an ongoing basis beginning in FY 2020-21.

Appropriation Summary: For FY 2020-21, this bill requires an appropriation of \$74,620 to the Department of Human Services.

Fiscal Note Status: The revised fiscal note reflects the introduced bill as amended by the Senate Health and Human Services Committee and the Senate Appropriations Committee.

Table 1
State Fiscal Impacts Under SB 20-028

Table with 3 columns: Category, FY 2020-21, FY 2021-22. Rows include Revenue, Expenditures (General Fund, Total FTE), Transfers, and TABOR Refund.

### **Summary of Legislation**

The bill modifies the definition of "child abuse or neglect" in regards to substance exposure in the Colorado Children's Code to include any newborn child who is affected by alcohol or drug exposure and where factors are present that threaten the health or welfare of the newborn child. Under current law, "child abuse or neglect" from substance exposure is defined as when a child tests positive for a schedule I or schedule II controlled substance, unless the schedule II controlled substance is the result of the mother's lawful use of that drug. There is an exception for when substances are taken as prescribed while being monitored by a licensed health care provider. The bill requires the Department of Human Services (DHS) to promulgate rules to determine whether a child is abused, neglected, or dependent under this new criteria.

### **State Expenditures**

This bill will increase state General Fund expenditures by \$74,620 and 0.4 FTE in FY 2020-21 and \$63,960 and 0.3 FTE in FY 2021-22 to the DHS for reappropriation to the Department of Law. These costs are for legal services related to the modification of definition of child abuse, neglect, and dependency. The DHS will require approximately 700 hours (0.4 FTE) of legal services in FY 2020-21 and 600 hours (0.3 FTE) in FY 2021-22 and future years to accommodate an increase in the number of appeals of findings of abuse or neglect.

### **Local Government**

Child welfare caseworkers who work for local governments may require additional training on the bill's changes to the definition of child abuse or neglect. This change may also result in additional reports of child abuse or neglect, which will increase staff time required to assess, investigate, and provide services in child welfare cases and to participate in any court proceeding associated with these cases.

### **Effective Date**

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

### **State Appropriations**

For FY 2020-21, the bill requires a General Fund appropriation of \$74,620 to be reappropriated to the Department of Law with 0.4 FTE.

### **State and Local Government Contacts**

Counties	Higher Education	Human Services
Information Technology	Judicial	Labor
Law	Legislative Council	Legislative Legal Services
Local Affairs	Public Health and Environment	