



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 21-0196	Date:	March 8, 2021
Prime Sponsors:	Rep. Duran Sen. Gardner	Bill Status:	House Judiciary
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Bill Topic: **CANADIAN DOMESTIC VIOLENCE PROTECTION ORDERS**

Summary of Fiscal Impact:

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

The bill allows a peace officer to enforce a Canadian domestic violence protection order, gives courts enforcement discretion over these orders, and provides immunity for anyone enforcing an order. It will minimally increase state and local revenue and workload beginning in FY 2021-22.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill, recommended by the Colorado Commission on Uniform State Laws.

Summary of Legislation

The bill enacts the Uniform Recognition and Enforcement of Canadian Domestic Violence Protection Orders Act. The bill allows a peace officer to enforce a Canadian domestic violence protection order. A court may enter an order enforcing or refusing to enforce a Canadian domestic violence protection order. The bill also provides immunity for a person who enforces a Canadian domestic violence protection order.

Background and Assumptions

Violation of a protection order is a class 2 misdemeanor. Violating a protection order after having been previously convicted of violating a protection order or an analogous municipal ordinance, or violating a mandatory protection order, is a class 1 misdemeanor. While the number of Canadian protection orders that will be enforced in Colorado is not known, the fiscal note assumes that they will be few in number.

State Revenue

Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount beginning in FY 2021-22 to the extent new misdemeanor cases are charged under the bill.

State Expenditures

Beginning in FY 2021-22, workload will minimally increase for the Judicial Department, including the trial courts, the Division of Probation, and agencies that provide representation to indigent persons. This workload results from both additional criminal cases and cases relating to the validity or enforcement of a Canadian protection order. Information technology staff will also be required to make minor updates to the Judicial Department's case management system. Workload may also increase in state law enforcement agencies to the extent they are involved in cases related to a Canadian protection order. No change in appropriations is required for any state agency.

TABOR refunds. Under the December 2020 Legislative Council Staff Economic and Revenue Forecast, the state is not expected to collect revenue above the TABOR limit in either FY 2021-22 or FY 2022-23, and refund obligations are not anticipated for these years. This bill does not change these expectations concerning refunds to taxpayers.

Local Government

Similar to the state, it is expected that any increase in workload or costs for local law enforcement agencies, district attorneys, county jails, or the Denver County Court related to potential additional cases under the bill will be minimal.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	District Attorneys	Judicial
Law	Municipalities	Public Defender
Public Safety		