



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 21-0196
Prime Sponsors: Rep. Duran
Sen. Gardner

Date: August 13, 2021
Bill Status: Deemed Lost
Fiscal Analyst: Erin Reynolds | 303-866-4146
Erin.Reynolds@state.co.us

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 would have allowed a peace officer to enforce a Canadian domestic violence protection order, given courts enforcement discretion over these orders, and provided immunity for anyone enforcing an order. It would have minimally increased state and local revenue and workload beginning in FY 2021-22.

Appropriation Summary: No appropriation was required.

Fiscal Note Status: The fiscal note reflects the introduced bill, recommended by the Colorado Commission on Uniform State Laws. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

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. The bill may minimally increase the amount of state revenue required to be refunded to taxpayers. TABOR refunds are paid from the General Fund. This estimate is based on the June 2021 LCS revenue forecast, which incorporates the revenue impacts of bills passed during the 2021 session. A forecast of state revenue subject to TABOR is not available beyond FY 2022-23.

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 was deemed lost on June 9, 2021.

State and Local Government Contacts

Counties	District Attorneys	Judicial
Law	Municipalities	Public Defender
Public Safety		