



Legislative Council Staff

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Fiscal Note

Drafting Number: LLS 21-0627 **Date:** February 22, 2021
Prime Sponsors: Sen. Kolker **Bill Status:** Senate Judiciary
Rep. Michaelson Jenet **Fiscal Analyst:** Aaron Carpenter | 303-866-4918
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Bill Topic: **MEASURES TO PREVENT THE MISUSE OF SAFE2TELL**

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

The bill updates when Safe2Tell information may be released to law enforcement agencies. The bill increases state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill allows the Attorney General to disclose any materials or information obtained through Safe2Tell to law enforcement if the disclosure is deemed necessary for the prevention of imminent physical harm or serious bodily injury. The bill also allows a district court, following a camera review, to issue a search warrant for Safe2Tell materials if there is probable cause that a person falsely reported an emergency to Safe2Tell. Any information released must be confidential unless a court lifts the sealing and confidentiality following an in-camera review.

State Expenditures

Starting in FY 2021-22, trial court workload within the Judicial Department will increase to conduct reviews for search warrants and for sealing records. In addition, litigation workload in the Department of Law will increase if the department disputes the cause for a search warrant. Workload to both departments is assumed to be minimal and can be accomplished within existing appropriations.

Local Government

Workload to district attorney offices will increase to attend any in-camera reviews related to a case of false reporting. Workload is expected to be minimal.

Effective Date

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

State and Local Government Contacts

District Attorneys
Law

Information Technology
Public Safety

Judicial
Sheriffs