



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Fiscal Note

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<b>Drafting Number:</b>	LLS 22-0732	<b>Date:</b>	April 14, 2022
<b>Prime Sponsors:</b>	Rep. Gonzales-Gutierrez	<b>Bill Status:</b>	House Judiciary
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**Bill Topic:** COURT-ORDERED RESTITUTION PAID BY JUVENILES

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**Summary of Fiscal Impact:**

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

The bill prohibits juvenile courts from ordering juveniles to pay restitution to an insurance company. The bill will minimally decrease state workload starting in FY 2022-23.

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**Appropriation Summary:** No appropriation is required.

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

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## Summary of Legislation

The bill prohibits juvenile courts from ordering juveniles to pay restitution to an insurance company. A court may still order a juvenile to pay restitution to a victim for the portion of a victim's pecuniary loss from which a victim cannot be compensated under an insurance policy.

## Background

According to the Judicial Department, an average of 56 cases per year have orders to pay restitution on behalf of an insurance company. Table 1 outlines the number of cases, the total amounts assessed, and the total amount paid from 2016 to 2020. The amounts outlined in the table represent juvenile delinquency cases; however, cases include courts outside of juvenile court. In addition, the total assessed amounts and the total amounts paid in one year may come from different cases. Therefore, the amount paid may not have been assessed in the same year.

**Table 1**  
**Restitution Assessed and Paid to Insurance Companies by Juveniles**

<b>Calendar Year</b>	<b>Cases</b>	<b>Total Assessed</b>	<b>Amount Paid</b>
2016	49	\$941,073	\$38,827
2017	73	\$484,272	\$17,098
2018	62	\$1,031,911	\$39,112
2019	50	\$1,115,943	\$51,311
2020	47	\$276,019	\$59,268
<b>Total</b>	<b>234</b>	<b>\$3,573,199</b>	<b>\$146,348</b>
<b>Per Year Average</b>	<b>56</b>	<b>\$769,844</b>	<b>\$41,123</b>

## **State Expenditures**

Based on the number of cases outlined in the Background section, workload to the Judicial Department will decrease by a minimal amount from no longer collecting juvenile restitution payments to insurance companies. No change in appropriations is required.

## **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  
Information Technology

Human Services  
Judicial