



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated February 6, 2023)

Drafting Number: LLS 23-0608
Prime Sponsors: Rep. DeGraaf

Date: March 9, 2023
Bill Status: House Appropriations.
Fiscal Analyst: Aaron Carpenter | 303-866-4918
aaron.carpenter@coleg.gov

Bill Topic: DUE PROCESS ASSET FORFEITURE ACT

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

The bill updates the information included in the Department of Local Affairs' civil asset forfeiture report. In FY 2023-24 only, the bill will impact state and local revenue and expenditures.

Appropriation Summary: For FY 2023-24, the bill requires an appropriation of \$22,549 to the Department of Local Affairs.

Fiscal Note Status: The fiscal note reflects the introduced bill, as amended by the House Judiciary Committee.

Table 1
State Fiscal Impacts Under HB 23-1086

Table with 3 columns: Category, Budget Year FY 2023-24, and Out Year FY 2024-25. Rows include Revenue, Expenditures (General Fund, Total FTE), Transfers, and Other Budget Impacts.

Summary of Legislation

The bill updates what is included in the Department of Local Affairs' (DOLAs) civil asset forfeiture report. Changes include collecting certain information on the outcome of the forfeiture proceeding, including if the owner defaulted or was an innocent owner, or if the property was forfeited by court order, settlement, or plea agreement. The bill also requires DOLA to report on the estimated value of the property.

Background

Data on civil asset forfeiture is annually published by DOLA and is available online [here](#).

State Expenditures

In FY 2023-24 only, the bill increases General Fund expenditures by \$22,549 in DOLA and increases workload in state law enforcement agencies.

DOLA. The bill requires DOLA to update and add data fields to the civil asset forfeiture report, which requires one-time 0.2 FTE from the Office of Information Technology.

State law enforcement agencies. Starting in FY 2023-24, workload to state law enforcement will increase to capture the new required data; no change in appropriations is required.

Local Government

Starting in FY 2023-24, workload to local law enforcement agencies, including district attorneys, will increase to capture the new required data. This work is expected to be minimal.

State Appropriations

The bill requires a General Fund appropriation of \$22,549 to the Department of Local Affairs, which is reappropriated to the Office of Information Technology with 0.2 FTE.

Effective Date

The bill takes effect September 1, 2023, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	Denver County Courts	District Attorneys
Information Technology	Judicial	Law
Local Affairs	Military Affairs	Municipalities
Natural Resources	Public Safety	Sheriffs