



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 23-0761	Date:	June 5, 2023
Prime Sponsors:	Rep. Sharbini; English Sen. Fields; Exum	Bill Status:	Signed into Law
		Fiscal Analyst:	Aaron Carpenter 303-866-4918 aaron.carpenter@coleg.gov

Bill Topic: HEARING TIMELINES JUVENILES IN ADULT FACILITIES

Summary of Fiscal Impact:

<input 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

To align with federal law, the bill changes petition timeframes for juveniles being held in an adult jail and caps the amount of time a juvenile can be held in an adult jail to 180 consecutive days. Starting in the current FY 2022-23, the bill may minimally impact state and local expenditures.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

Under current law, a juvenile detained in an adult jail must wait 35 days after initial confinement to petition the court regarding placement. Under the bill, a juvenile may immediately petition the district court. If the court determines it is in the interest of justice to detain a juvenile, the court must hold a hearing at least every 30 days, or 45 days if in a rural jurisdiction, to review whether the juvenile should still be detained in an adult jail. In addition, the bill caps the number of days a juvenile, including juveniles charged as an adult, can be held in an adult jail to 180 consecutive days unless the court determines there is good cause for an extension or the juvenile waives the limitation.

State Expenditures

Starting in the current FY 2022-23, the bill may increase workload in the Judicial Department and expenditures in the Department of Human Services (DHS). District court workload may increase to the extent additional hearings are held. Expenditures in the DHS may increase if the petition process increases the number of juveniles placed in a Division of Youth Services facility. Cases involving juveniles placed in adult correctional settings are rare; therefore, any increase in workload will be minimal.

Local Government

To the extent juveniles are placed in an alternate setting than county jail, county sheriff expenditures will decrease. To the extent there are more juvenile placement petitions, district attorney workload will increase. Similar to the state, any impact is expected to be minimal.

Effective Date

This bill was signed into law by the Governor and took effect on March 23, 2023

State and Local Government Contacts

Counties
Judicial

District Attorneys
Sheriffs

Human Services