



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 23-0119 **Date:** February 24, 2023
Prime Sponsors: Sen. Jaquez Lewis; Kolker **Bill Status:** Senate State Affairs
Rep. Mabrey; Parenti **Fiscal Analyst:** Clayton Mayfield | 303-866-5851
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Bill Topic: **GUN VIOLENCE VICTIMS' ACCESS TO JUDICIAL SYSTEM**

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 allows a person or entity to bring suit for damages against firearm industry members. Starting in FY 2023-24, the bill may minimally increase state and local expenditures and revenue on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill repeals the limitations on claims that can be brought against firearm manufacturers. It allows a person or entity to bring claims for damages against firearm industry members who violate standards of responsible conduct specified in the bill and provides that a firearm industry member must comply with the Colorado Consumer Protection Act, the Unfair Practices Act, and the Colorado Antitrust Act of 1992.

State Revenue and Expenditures

To the extent that civil cases are filed, the bill may increase state expenditures for the Judicial Department and the Department of Law as described below. Any corresponding increase in fine and fee revenue is expected to be minimal.

Judicial Department. The bill has the potential to impact revenue and workload in the trial courts. However, it is assumed that most firearm industry members will comply with the provisions of the bill and any revenue and workload increase will be minimal. State revenue from civil filing fees are subject to TABOR.

Department of Law. The bill gives the Attorney General the discretion to initiate actions under consumer protection and anti-trust laws, which the fiscal note assumes will be accomplished within available department resources. State revenue from penalties in these actions is typically classified as a damage award and not subject to TABOR. To the extent the bill results in any legal challenges, the department will seek resources through the annual budget process.

Local Government

Similar to the state, to the extent civil cases are filed, Denver County Court may experience an increase in workload and revenue. Any workload for district attorneys is anticipated to be minimal, as consumer protection cases are typically handled at the state level by the Attorney General.

Effective Date

The bill takes effect October 1, 2023.

State and Local Government Contacts

Counties

Judicial

Law

Municipalities