



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 28, 2024)

Table with 2 columns: Field (Drafting Number, Prime Sponsors, Date, Bill Status, Fiscal Analyst) and Value (LLS 24-0696, Rep. Woodrow; Herod, Sen. Fields; Gonzales, April 9, 2024, House Appropriations, Aaron Carpenter | 303-866-4918, aaron.carpenter@coleg.gov)

Bill Topic: REGULATING LAW ENFORCEMENT USE OF PRONE RESTRAINT

Table with 2 columns: Category (Summary of Fiscal Impact) and Options (checkboxes for State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity)

The bill requires law enforcement agencies to adopt a policy on prone restraint and to train officers on that policy. The bill increases state, local, and statutory public entity workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill requires any Colorado law enforcement agency that employs a Peace Officer Standards and Training (POST) Board certified peace officer, sheriffs, and the Colorado State Patrol (law enforcement entities) to adopt written policies and procedures concerning the use of the prone position and prone restraint by July 1, 2025, and post it on its website. The bill specifies what the policies and procedures must include. Each law enforcement entity must review and update policies and procedures at least every five years.

The POST Board in the Department of Law is required to make a training on the use of the prone position available to law enforcement agencies in the state. By July 1, 2026, law enforcement entities must implement and train their peace officers on the provisions of their adopted policies and procedures.

State Expenditures

The bill will increase workload in the Department of Law, the Department of Public Safety, state agencies employing POST-certified peace officers, and the Judicial Department. These impacts are discussed below.

Department of Law. The department will have an increase in workload in the POST Board and to provide legal services to state agencies.

- **POST Board.** In FY 2025-26, the bill increases workload in the POST Board to develop a training on the use of the prone position. It is estimated that development of the training will require 80 hours of staff time, which can be accomplished within existing resources. The fiscal note assumes that the required training will not generate additional complaints against peace officers.
- **Legal services.** Starting in FY 2026-27, the department may have an increase in workload to represent any state agencies in violation of the bill. The fiscal note assumes high compliance; therefore, this workload can be accomplished within existing resources.

**Colorado State Patrol and other state agencies employing peace officers.** Starting in FY 2024-25, workload in state agencies employing POST-certified peace officers will increase to create new policies and procedures, and to train officers. This workload can be handled within existing training resources for each affected agency, which primarily includes Colorado Parks and Wildlife, institutions of higher education, and the departments of Corrections, Public Safety and Revenue.

**Judicial Department.** Starting in FY 2026-27, to the extent there are additional civil cases brought against peace officers as a result of the bill, workload to trial courts will increase. Any increase in workload for the trial courts is expected to be minimal.

## Local Government and Statutory Public Entities

Similar to the state, workload for local governments, such as municipalities and counties, and statutory public entities, such as the Regional Transportation District, will increase to create new policies and procedures, and to train officers.

## Effective Date

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

## State and Local Government Contacts

Corrections	District Attorneys	Higher Education
Human Services	Judicial	Law
Natural Resources	Personnel	Public Safety
Revenue		

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).