



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Final Fiscal Note

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<b>Drafting Number:</b>	LLS 24-1166	<b>Date:</b>	August 7, 2024
<b>Prime Sponsors:</b>	Rep. Herod, Garcia Sen. Buckner, Gonzales	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** BIRTH EQUITY

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<b>Summary of Fiscal Impact:</b>	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill places requirements concerning labor and delivery and postpartum nourishment on healthcare and detention facilities. The bill increases state workload on a one-time basis.

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

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

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## Summary of Legislation

Under current law, state and local detention facilities may restrain pregnant inmates during labor and delivery if it is determined medically necessary or if there is a substantial risk of escape. The bill removes these exceptions, allowing for restraints only in the case of probable imminent serious threat of harm, and extends the prohibition through postpartum recovery. The bill also requires detention facilities and CDHS facilities to create a system to deliver milk pumped by the parent in their custody to their newborns.

The bill requires health care facilities to develop a process for receiving patients during or after labor from non-health care facilities that allows them to collect relevant information, including from family members, doulas, or a health-care provider.

## State Expenditures

Workload will minimally increase in the Department of Corrections (DOC) and the Department of Human Services (CDHS) to promulgate rules around the new requirements for pregnant or postpartum parents in their custody. Because the number of pregnant people in custody is small, implementation workload is expected to be minimal.

Workload will minimally increase for the Department of Public Health and Environment (CDPHE) to promulgate rules around the new requirements for hospitals. The fiscal note assumes that hospitals will comply with the rules and no enforcement action will be necessary.

## Effective Date

This bill was signed into law by the Governor and took effect on June 5, 2024.

## Departmental Difference

The Department of Human Services estimates that the bill will require \$17,680 from the General Fund to stock eight Division of Youth Services (DYS) facilities with the necessary equipment to pump and store breast milk. The fiscal note assumes that the existing equipment can be shared or new equipment can be purchased as the need arises and within existing resources.

## State and Local Government Contacts

Corrections

Human Services

Judicial

Public Health and Environment

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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](#).