



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 25-1185: CHILD CONCEIVED FROM SEX ASSAULT COURT PROCEEDINGS

Prime Sponsors:

Rep. Froelich; Willford
Sen. Weissman

Fiscal Analyst:

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Published for: House Judiciary

Drafting number: LLS 25-0389

Version: Initial Fiscal Note

Date: February 17, 2025

Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill outlines procedures and removes certain procedural requirements for a parent to relinquish a child conceived as a result of a sexual assault.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Revenue
- Minimal State Workload

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

| Type of Impact | Budget Year FY 2025-26 | Out Year FY 2026-27 |
|-------------------------|-----------------------------------|--------------------------------|
| State Revenue | \$0 | \$0 |
| State Expenditures | \$0 | \$0 |
| Transferred Funds | \$0 | \$0 |
| Change in TABOR Refunds | \$0 | \$0 |
| Change in State FTE | 0.0 FTE | 0.0 FTE |

Summary of Legislation

The bill outlines procedures and removes certain procedural requirements for a parent to relinquish a child conceived as a result of a sexual assault. The parent who was a victim of sexual assault can file a petition in juvenile court to prevent contact with the person who committed the assault and relinquish their parental rights. In child relinquishment proceedings, the bill specifies that a victim can provide documentation or a sworn affidavit to the juvenile court regarding the sexual assault. If the court determines there is sufficient evidence, the parent is exempt from certain relinquishment requirements, such as counseling and certain legal fees, and from all legal obligations to the child, including child support.

By January 1, 2026, the state court administrator is required to develop or update existing forms for petitioners seeking to terminate a parent-child legal relationship because the child was conceived as a result of sexual assault.

State Revenue and Expenditures

The bill impacts state revenue and expenditures in the Judicial Department in the following ways. First, workload in the trial courts may increase to the extent judges must make additional findings or weigh evidence of sexual assault, particularly in cases without a prior criminal conviction, in child relinquishment cases covered under the bill. Second, the bill may reduce revenue to the Office of the Child’s Representative if fees are no longer charged to the relinquishing parent for the appointment of a guardian ad litem to represent the interest of the child in these cases. Lastly, workload will minimally increase for the Judicial Department to develop or update petition forms. As the bill is expected to apply to a limited number of cases, any impact on state revenue and expenditures is expected to be minimal.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

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|----------------|----------|----------------|
| Child Welfare | Judicial | Municipalities |
| Counties | Law | Public Safety |
| Human Services | | |