



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 26-1040: STERILIZATION RIGHTS OF PERSON WITH DISABILITIES

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**Prime Sponsors:**

Rep. Froelich

Sen. Cutter

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**Fiscal note status:** This revised fiscal note reflects the reengrossed bill.

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### Summary Information

**Overview.** The bill prohibits sterilization for individuals with developmental disabilities unless there is an imminent threat to life or health.

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

- Minimal State Workload
- Minimal State Revenue

**Appropriations.** No appropriation is required.

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**Table 1**  
**State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
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**

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Under current law, sterilization of an individual with intellectual and developmental disabilities (IDD) is permitted if they are over 18 years old and have provided consent. Before the procedure, competency to give informed consent is evaluated by medical professionals. If challenged, an evaluator can petition the court to make a competency determination, which may result in a competency hearing. Further, minors with IDD may not be sterilized without a court order and all records related to these determinations are strictly confidential.

The bill repeals these processes, makes conforming changes, and prohibits the sterilization of an individual with IDD against their will, unless the person is incapable of making decisions and there is an imminent threat to life or health.

## **State Revenue**

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Beginning in FY 2026-27, the bill may minimally decrease state revenue from reduced filing fees to the Judicial Department as a result of fewer petitions filed for court-ordered sterilization. Given the relatively small number of cases involving court-ordered sterilization, this impact is assumed to be minimal. Revenue from filing fees is subject to TABOR.

## **State Expenditures**

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Beginning in FY 2026-27, the bill may impact state expenditures in the Department of Health Care Policy and Financing (HCPF) and minimally decreases workload in the Judicial Department.

## **Health Care Policy and Financing**

The bill may decrease the number of Medicaid-enrolled members with IDD who receive sterilization treatment. Since sterilization procedures are currently uncommon under Medicaid waiver programs for persons with IDD, any impact on expenditures is assumed to be minimal and no change in appropriations is required.

## **Judicial Department**

Similar to the State Revenue section above, the trial courts in the Judicial Department may experience a decrease in workload from fewer petitions for court-ordered sterilization filed under the bill. Due to the small number of such cases, the fiscal note assumes that no change in appropriations is required.

## **Effective Date**

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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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Health Care Policy and Financing

Regulatory Agencies

Judicial

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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](#).