



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 26-1245: THEFT BY CONTRACTOR

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**Prime Sponsors:**

Rep. Keltie

**Fiscal Analyst:**

Clayton Mayfield, 303-866-5851

clayton.mayfield@coleg.gov

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**Date:** February 27, 2026

**Fiscal note status:** This fiscal note reflects the introduced bill.

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### Summary Information

**Overview.** The bill adds inappropriate use of advance funds by contractors to the elements of the crime of theft, and requires certain disclosures by contractors to customers.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis starting in FY 2026-27:

- Minimal State Revenue
- Minimal State Expenditures
- Local Government

**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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The bill adds inappropriate use of advance funds by contractors to the elements of the crime of theft. Contractors are required to provide a disclosure about the use of funds to customers before accepting advance payments greater than \$300. Failure of a contractor to provide a disclosure may be considered as evidence of inappropriate use of advance funds in civil or criminal proceedings.

## Comparable Crime Analysis

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Legislative Council Staff is required to include certain analysis in the fiscal note for any bill that creates a new crime, or that either reclassifies or creates a new factual basis for an existing crime. This section identifies comparable crimes and discusses assumptions on future conviction rates resulting from the bill.

## Prior Conviction Data

This bill creates a new factual basis for the existing offense of theft, with penalties determined by the value of the thing stolen, by including theft committed by a contractor. From FY 2022-23 to FY 2024-25, 17,645 individuals have been convicted and sentenced for some form of theft. Of the persons convicted, 11,892 were male, 5,698 were female, and 55 did not have a gender identified. Demographically, 14,112 were White, 1,827 were Black/African American, 1,083 were Hispanic, 91 were Asian, 111 were American Indian, 390 were classified as "Other," and 31 did not have a race identified.

## Assumptions

The bill applies to a narrow scope of conduct and is likely to apply to a limited number of cases. In addition, it is assumed the majority of contractors will comply with the law. Therefore, the fiscal note assumes that there will be minimal or no additional criminal case filings for theft as modified by the bill. Visit the [Fiscal Notes website](#) for more information about criminal justice costs in fiscal notes.

## State Revenue and Expenditures

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Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue and expenditures. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons, and to the Department of Corrections, are assumed to be minimal and no change in appropriations is required.

## Local Government

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Similar to the state, it is expected that any workload or cost increases for district attorneys to prosecute more offenses, or for county jails to imprison more individuals under the bill will be minimal. District attorney offices and county jails are funded by counties.

## Effective Date

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The bill takes effect August 15, 2026, assuming no referendum petition is filed, and applies to offenses committed on or after this date.

## State and Local Government Contacts

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District Attorneys

Public Defender

Judicial