



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1283: PROTECTIONS REGARDING SEIZURES OF ID DOCUMENTS

Prime Sponsors:

Rep. Ricks; Joseph
Sen. Marchman

Fiscal Analyst:

Aaron Carpenter, 303-866-4918
aaron.carpenter@coleg.gov

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

Summary Information

Overview. The bill prohibits employers from seizing identification cards.

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

- Minimal State Workload
- Local Government

Appropriations. No appropriation is required.

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

The bill prohibits an employer or an employer's agent from demanding, confiscating, retaining, or otherwise requiring an individual to surrender their government-issued identification (ID) card, with certain exceptions. An employer may temporarily retain the card for no more than 24 hours to verify employment eligibility status and to make a copy of the card. When verifying employment eligibility, an employer must notify the employee in writing and in the language spoken by the employee of the prohibitions established by the bill.

The bill also creates the crime of criminal confiscation when a person knowingly tries to, or takes into possession or control, an individual's ID card without lawful authority, a class 2 misdemeanor. If the intent is to intimidate or harass another person due to a protected class, the bill makes the crime a bias-motivated crime, which increases the crime penalty to a class 1 misdemeanor.

Comparable Crime Analysis

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 and Assumptions

This bill creates the new offense of criminal confiscation, a class 2 misdemeanor. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of unlawful intimidation of a worker, a class 2 misdemeanor, as a comparable crime. From FY 2022-23 to FY 2024-25, zero offenders have been sentenced and convicted for this existing offense; therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice-related expenditures or revenue at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit the [Fiscal Notes website](#) for more information about criminal justice costs in fiscal notes.

State Expenditures

The bill increases workload to state agencies to develop the required notification in the language spoken by the new employee. This work can be accomplished within existing resources.

Local Government

Similar to the state, workload to local governments, including school districts, will increase to ensure employees receive required notification.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to conduct occurring on or after this date.

State and Local Government Contacts

District Attorneys	Law
Judicial	Personnel
Labor	