



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 26-1039: ADDING MUN JAILS TO CNTY JAIL OVERSIGHT REQMNTS

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**Prime Sponsors:**

Rep. Carter; Ricks  
Sen. Jodeh; Weissman

**Fiscal Analyst:**

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

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### Summary Information

**Overview.** The bill requires municipal jails to adhere to the same standards of county jails.**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.

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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

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## Summary of Legislation

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The bill requires municipal jails to meet the same standards of county jails, including:

- complying with standards adopted by the Legislative Oversight Committee Concerning Colorado Jail Standards effective July 1, 2027;
- complying with the statutory requirements for county jails in Article 26 of Title 17, including collecting and reporting certain data to the state;
- requiring the release of a pregnant person in labor charged with a municipal offense, unless keeping them in custody is necessary for their health or welfare, and if it is necessary, prohibiting the use of restraints on pregnant persons;
- keeping a written record if a pregnant person is not released, informing the pregnant person the right to be released if in labor, and providing adequate training to staff on how to treat pregnant persons;
- requiring the governing body of a city to examine the municipal jail at least once a year and permitting the keeper of the municipal jail to request the Attorney General to conduct a special assessment of the jail; and
- adding one nonvoting member who represents a municipality to the Jail Standards Advisory Committee.

Additionally, holding cells at municipal court facilities, police stations, and reform schools are excluded from the definition of “municipal jail.”

## Background and Assumptions

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The Legislative Oversight Committee for Colorado Jail Standards is charged with adopting and revising standards for Colorado jails. In 2023, the committee adopted [Standards for Colorado Jails](#), which county jails must comply with by July 1, 2026.<sup>1</sup> Based on feedback from municipalities, the fiscal note assumes that municipal jails already meet these standards.

## State Expenditures

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The bill minimally impacts work in the Department of Law, the Department of Public Safety, and the Legislative Department as described below.

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<sup>1</sup> Section 2-3-1901.5, C.R.S.

## Department of Law

The Department of Law will conduct assessments of municipal jails upon request. The Attorney General will assess requests for assessments and prioritize issues and needs to determine when to conduct assessments; therefore, no change in appropriation is required.

## Department of Public Safety

The Division of Criminal Justice in the Department of Public Safety will collect additional data from municipal jails. This additional data collection can be accomplished within existing resources.

## Legislative Department

To the extent the Legislative Oversight Committee for Colorado Jail Standards receives reports on municipal jails that need to be reviewed by members, committee workload will increase. The fiscal note assumes these reviews will occur during regularly scheduled meetings and no change in appropriations is required.

## Local Government

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Work may increase for city councils to tour jails and to report required data to the state.

## 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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Human Services	Public Safety
Law	Sheriffs
Legislative Council Staff	Public Safety
Municipalities	

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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](#).