



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 26-1009: COLORADO MANDATORY LETHALITY ASSESSMENT ACT

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**Prime Sponsors:**

Rep. Duran; Gonzalez R.

Sen. Wallace; Pelton B.

**Fiscal Analyst:**

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**Published for:** Senate Appropriations

**Drafting number:** LLS 26-0231

**Version:** Third Revised Note

**Date:** March 19, 2026

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

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### Summary Information

**Overview.** The bill requires peace officers to conduct a lethality assessment when responding to a domestic violence incident, the Attorney General to develop mandatory training, and peace officers to provide victim referrals.

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

- State Expenditures
- Local Government

**Appropriations.** For FY 2026-27, the bill requires, but does not include, an appropriation of \$11,780 to the Department of Public Safety.

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

<b>Type of Impact</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
State Revenue	\$0	\$0
State Expenditures (Cash Funds)	\$11,780	\$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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**Table 1A**  
**Comparison of LCS Fiscal Note Estimate and**  
**FY 2026-27 Appropriations Included in Bill**

<b>Department</b>	<b>LCS Estimate</b>	<b>Current Appropriation</b>	<b>Difference</b>
Department of Public Safety	\$11,780	\$0	-\$11,780
<b>Total</b>	<b>\$11,780</b>	<b>\$0</b>	<b>-\$11,780</b>

Fiscal notes reflect the nonpartisan fiscal assessment of Legislative Council Staff. However, fiscal notes are decision-making tools for the General Assembly and it is the General Assembly that determines how much funding is appropriated to state agencies. Table 1A highlights the differences between the LCS estimate identified in this fiscal note and appropriation decisions made by the General Assembly for the bill thus far in the legislative process.

## Summary of Legislation

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Starting July 1, 2027, the bill requires peace officers who respond to and investigate initial reports of domestic violence to conduct a lethality assessment when responding to domestic violence incidents, unless circumstances make the administration of the assessment impossible or impracticable. If the assessment indicates that an individual is a high-risk victim based on the totality of the circumstances, the peace officer must immediately provide the victim with the opportunity to speak with a community-based victim's advocate.

The bill also requires the Attorney General, in consultation with a Colorado-based coalition that advocates for survivors of domestic violence, to develop a mandatory training for peace officers on how to administer the assessment. The training must be available by June 1, 2027, and all peace officers must complete the training by July 1, 2027, unless a law enforcement agency has already provided training on the assessments.

Beginning January 2028, the Attorney General must annually report statistics on the number of domestic violence incidents, assessments conducted, and high-risk victims identified during its SMART Act presentation. By January 31, 2030, the Domestic Violence Fatality Review Board, in the Department of Law, must evaluate the effectiveness of the assessments and referrals and submit the evaluation to relevant legislative committees.

## Background

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According to the Department of Law, there are about 14,500 peace officers and 330 law enforcement agencies in Colorado.

## State Expenditures

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The bill increases state expenditures by an estimated \$12,000 in FY 2026-27 only in the Department of Public Safety as shown in Table 2 and described in the sections below. Costs are paid from the Highway Users Tax Fund (HUTF). Workload will also increase in the Department of Law and state agencies employing peace officers.

**Table 2**  
**State Expenditures**  
**Department of Public Safety**

<b>Cost Component</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
IT Modifications	\$11,780	\$0
<b>Total Costs</b>	<b>\$11,780</b>	<b>\$0</b>

### Department of Public Safety

In FY 2026-27 only, costs to the Department of Public Safety will increase by \$11,780 to add fields to Colorado State Patrol (CSP)'s incident reporting documentation as to whether a lethality assessment was conducted, the outcome or risk level, and whether a victim referral was initiated. It is estimated this work will require 40 hours a project manager at a contract rate of \$134 per hour and 60 hours for a business analyst at a rate of \$107 per hour.

The CSP is approaching its statutory limit of Highway Users Tax Fund (HUTF) funding. The fiscal note assumes the bill's minimal appropriation can come from the HUTF. However, to the extent this bill reduces available HUTF funding, costs to the General Fund may increase if the amount budgeted for the CSP in FY 2026-27 and future years exceeds available funds in the HUTF.

### Department of Law

Starting in FY 2026-27, workload in the Department of Law will increase to partner with a Colorado-based coalition that advocates for survivors of domestic violence. The fiscal note assumes that the coalition will take the lead on developing and administering the training. If the Department of Law is expected to develop and administer the training, costs to the department will include curriculum design, trainer training, and materials. Reporting requirements of the bill, both from the department and the Domestic Violence Fatality Review Board, can be accomplished within existing appropriations.

## Department of Natural Resources

In FY 2026-27, workload in the Department of Natural Resources will increase to modify its law enforcement records management system to track and generate data required for the annual report. This work can be accomplished within existing resources.

## State Agencies Employing Peace Officers

Workload to state agencies that employ peace officers will increase to facilitate the required officer training and to conduct assessments when necessary. It is assumed that the large majority of domestic violence calls are handled by local law enforcement officials. State agencies with peace officers that may be required to conduct assessments when responding to reports of domestic violence include the Departments of Higher Education, Natural Resources, Public Safety, and Revenue.

## Local Government

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Starting in FY 2026-27, workload and costs to local law enforcement agencies will increase to attend the required training and to make the required assessments outlined in the bill. Workload and costs will include:

- officer backfill or overtime costs to facilitate training;
- developing policies and procedures for conducting assessments;
- officer time completing assessments, reporting required information, and connecting high-risk victims with victim advocates; and
- form and system updates.

## Effective Date

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The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## State Appropriations

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For FY 2026-27, the fiscal note estimates that the bill requires an appropriation of \$11,780 from the Highway Users Tax Fund to the Department of Public Safety, with this full amount reappropriated to the Office of Information Technology; however, the bill does not include this appropriation.

## **Departmental Difference**

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The Department of Public Safety indicates that IT modifications should be paid from the General Fund, due to the statutory limit of Highway Users Tax Fund (HUTF); however, the fiscal note assumes the bill's minimal appropriation can come from the HUTF.

## **State and Local Government Contacts**

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Corrections

Natural Resources

Judicial

Public Safety

Law

State Law Enforcement

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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](#).