



Fiscal Note

Legislative Council Staff

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HB 26-1385: PUBLIC DEFENDER & PROSECUTOR BEHAVIORAL HLTH PROG

Prime Sponsors:

Rep. Brown; Sirota
Sen. Amabile; Bridges

Fiscal Analyst:

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Fiscal note status: The fiscal note reflects the introduced bill, which was recommended by the Joint Budget Committee as part of the FY 2026-27 Long Bill budget package.

Summary Information

Overview. The bill requires 100 percent of Public Defender and Prosecutor Behavioral Health Support Program funding to be allocated to the Office of the State Public Defender in FY 2026-27, instead of a 50/50 funding split with district attorney offices.

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

- State Expenditures
- 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 requires the Department of Local Affairs (DOLA) to allocate 100 percent of the money for the Public Defender and Prosecutor Behavioral Health Support Program to the Office of the State Public Defender (OSPD) in FY 2026-27 only, instead of the current 50/50 funding split with the Colorado District Attorney's Council (CDAC).

Background

The Public Defender and Prosecutor Behavioral Health Support Program was created through [Senate Bill 22-188](#) and receives \$500,000 General Fund annually, which is passed through DOLA to OSPD and CDAC. According to [the Joint Budget Committee Staff FY 2026-27 figure setting document for DOLA](#), in recent years, OSPD has expended its entire allocation, while CDAC has unspent funds. The 2026 Long Bill reduces the appropriation for the grant program by half to \$250,000 in FY 2026-27.

State Expenditures

Based on the expected Long Bill appropriation for FY 2026-27, the OSPD will receive the same amount of funding under the bill (100 percent of \$250,000) as under current law (50 percent of \$500,000). Therefore, the bill does not change state expenditures and no additional adjustment to appropriations is required.

Local Government

The bill decreases revenue from state grants to district attorney offices by \$250,000 in FY 2026-27 only.

Effective Date

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

State and Local Government Contacts

District Attorneys

Local Affairs

Public Defender

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](#).