



Fiscal Note

Legislative Council Staff

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HB 26-1143: NON-EMPL EDUC OPPORTUNITIES BACKGROUND CHECK INFO

Prime Sponsors:

Rep. Ricks; Joseph
Sen. Weissman

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Published for: Senate State Affairs**Drafting number:** LLS 26-0055**Version:** First Revised Note**Date:** April 24, 2026**Fiscal note status:** This revised fiscal note reflects the reengrossed bill.

Summary Information

Overview. The bill requires certain entities to accept tax identification numbers for background checks.**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Revenue
- 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 higher education institutions, nonprofits, K-12 schools, and certain health care entities to accept individual taxpayer identification numbers or a fingerprint background check in lieu of a social security number if the entity requires a background check for a non-employment based educational opportunity, unless certain exceptions are met. Entities that fail to comply are subject to a civil fine—\$2,000 for first offense and \$5,000 for any subsequent violation—enforced by the Attorney General and deposited to the Immigration Legal Defense Cash Fund.

State Revenue

The bill may increase state revenue from civil penalties, filing fees, and additional fingerprint background checks.

Civil Penalties

The bill may increase state revenue to the Immigration Legal Defense Cash Fund to the extent civil penalties are assessed. The fiscal note assumes that impacted entities will comply with the law and any revenue increase will be minimal. This revenue is classified as a damage award and not subject to TABOR.

Filing Fees

Additionally, the bill may increase revenue to the Judicial Department if additional cases are filed as a result of the bill. Revenue from filing fees is subject to TABOR.

Fingerprint Background Check

To the extent that the bill increases the number of fingerprint background checks, revenue to the Colorado Bureau of Investigation Identification Unit Cash Fund in the Colorado Department of Public Safety (CDPS) will increase. Because the bill only applies to specific education opportunities, and fingerprint background checks are only one option, the fiscal note assumes any increases will be minimal. For informational purposes, the fee for fingerprint background checks is \$39.50. Of this fee amount, \$29.50 is subject to TABOR and the \$10 passed on to the federal government is exempt from TABOR.

State Expenditures

The bill increases workload to the Department of Law, certain higher education institutions, and the CDPS starting in FY 2026-27, as described below.

Department of Law

The bill increases workload to enforce the provisions of the bill. This workload can be accomplished within existing appropriations.

Institutions of Higher Education

Workload to institutions of higher education will increase to change any policies or procedures to allow applicants to submit a fingerprint background check in lieu of their social security number.

Department of Public Safety

Workload in the CDPS will increase to conduct additional background checks. Because the bill only applies to specific education opportunities, and fingerprint background checks are only one option, the fiscal note assumes any increases will be minimal.

Local Governments

The bill may increase workload to school district or local law enforcement as described below.

School Districts

To the extent school districts need to update policies to allow for submission of a background check or a tax identification number check, workload will increase. The exact increase will depend on the district and its policy.

Law Enforcement

The bill may minimally increase workload in certain local law enforcement offices to fingerprint applicants.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to contracts entered into and background checks requested on or after this date.

State and Local Government Contacts

Higher Education

Public Safety