



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 8, 2024)

Table with 2 columns: Field (Drafting Number, Prime Sponsors, Date, Bill Status, Fiscal Analyst) and Value (LLS 24-0326, Rep. Froelich; Story, Sen. Winter F., April 3, 2024, House Appropriations, Aaron Carpenter | 303-866-4918, aaron.carpenter@coleg.gov)

Bill Topic: PARENTAL RESPONSIBILITIES PROCEEDINGS CHILD SAFETY

Table with 2 columns: Summary of Fiscal Impact and checkboxes for State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, and Statutory Public Entity.

The bill makes several changes to family court proceedings. Starting in FY 2024-25, the bill increases state expenditures.

Appropriation Summary: For FY 2024-25, the bill requires an appropriation of \$74,257 to the Judicial Department.

Fiscal Note Status: This revised fiscal note reflects the introduced bill, as amended by the House Judiciary Committee.

Table 1
State Fiscal Impacts Under HB 24-1350

Table with 4 columns: Category (Revenue, Expenditures, Transfers, Other Budget Impacts), Sub-category (General Fund, Centrally Appropriated, Total Expenditures, Total FTE, General Fund Reserve), Budget Year FY 2024-25, and Out Year FY 2025-26.

## **Summary of Legislation**

The bill makes several changes to domestic relations court proceedings and requirements for court personnel, as described below.

**Child and family investigator and evaluator requirements.** The bill requires child and family investigators and evaluators to provide options that serve the best interest of the child for the court to consider. In their written reports, investigators and evaluators must include all information acquired during the investigation concerning domestic violence and child abuse, regardless of the manner in which the information was acquired or who presented the information, and strive to ensure the report does not include information and recommendations that are biased. The bill increases the hours of training required for investigators and evaluators and requires them to provide written disclosures to each party describing their duties, their compliance with training requirements, and information on filing a complaint about an investigator with the State Court Administrator. Finally, courts may cap fees paid to family investigators and evaluators, and allocate the responsibility for paying these fees.

**Domestic relations court proceedings.** When determining the best interest of the child for allocating parenting time, the bill requires the court to:

- strive not to consider biased information and recommendations,
- give paramount consideration to the safety and the physical, mental and emotional conditions and needs of the child and abused party; and
- give strong consideration to a child's preference when there are allegations of domestic violence or child abuse.

If the court orders unsupervised parenting time for a parent accused of domestic violence, child abuse, or child sexual abuse, the court must make a statement on why the decision is in the best interest of the child. The court must also make a finding explaining why the court granted or denied a request to interview a child. The bill allows courts to seek the advice of professional personnel, and for advice to be made available to counsel, parties, and other expert witnesses and that the personnel be cross-examined.

**Coercive control and domestic violence training.** The bill defines coercive control and requires training opportunities for recognizing coercive control for court personnel in domestic violence and child abuse cases, including for family investigators, evaluators and judges. Courts must consider evidence on coercive control in these cases. The bill requires training for child and family investigators, evaluators, and legal representatives of children to include interviewing and forensic report writing and for the training to be culturally informed. The bill allows non-governmental professional trainers conduct the training. An investigator who completed the training before January 1, 2025, is not required to complete supplemental training.

**Reporting.** The State Court Administrator must accept complaints against family investigators and evaluators. Annually, the Judicial Department must report these complaints and other family court metrics to the legislature during their SMART Act hearing. Finally, the Judicial Department

must publish certain information on its website regarding family court proceedings, judges who have completed domestic violence and child abuse trainings, and actions.

**State Expenditures**

The bill increases state expenditures in the Judicial Department by about \$90,000 in FY 2024-25 and \$145,000 in FY 2025-26 and ongoing, as shown in Table 2 and described below.

**Table 2  
 Expenditures Under HB 24-1350**

	FY 2024-25	FY 2025-26
<b>Judicial Department</b>		
Personal Services	\$66,827	\$83,533
Operating Expenses	\$760	\$950
Capital Outlay Costs	\$6,670	\$400
Contract Training Facilitator	-	\$40,000
Centrally Appropriated Costs <sup>1</sup>	\$16,047	\$20,059
<b>Total Cost</b>	<b>\$90,304</b>	<b>\$144,942</b>
<b>Total FTE</b>	<b>0.8 FTE</b>	<b>1.0 FTE</b>

<sup>1</sup> Centrally appropriated costs are not included in the bill's appropriation.

**Judicial Department.** Starting in FY 2024-25, Judicial Department expenditures will increase to hire additional staff and to contract with a trainer, as described below.

- **Staff.** The Judicial Department requires 1.0 FTE to develop update the 20-hour domestic violence and child abuse training with the requirements of the bill, collect and report the required data, and to provide administrative support to trainers. Standard capital outlay costs and operating expenses are included and staff costs are prorated for a September start date.
- **Contract training facilitator.** There are currently no programs available offering the required 20-hour training on domestic violence to family investigators and evaluators. The department is required to establish a training and it will take one year to develop. Starting in FY 2025-26, the Judicial Department requires \$20,000 per training to contract with professional trainers. It is assumed trainings will occur twice a year, and costs include an online platform to host trainings virtually.
- **IT costs.** Workload will increase for the department to update its case management system to collect the required data and post certain information about family court proceedings on the department website. No change in appropriations is required.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

## Other Budget Impacts

**General Fund reserve.** Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

## Technical Note

The bill's timelines do not allow adequate time for the Judicial Department to develop and implement required training. Costs in the fiscal note assume the department will have one year to develop training.

## Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## State Appropriations

For FY 2024-25, the bill requires a General Fund appropriation of \$74,257 to the Judicial Department, and 0.8 FTE.

## State and Local Government Contacts

Child Welfare  
Judicial

Counties

Human Services

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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](#).