



**Colorado
Legislative
Council
Staff**

HB17-1032

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0353
Prime Sponsor(s): Rep. Arndt
Sen. Cooke

Date: January 17, 2017
Bill Status: House Judiciary
Fiscal Analyst: Chris Creighton (303-866-5834)

BILL TOPIC: FIRST RESPONDER PEER SUPPORT TESTIMONY PRIVILEGE

Fiscal Impact Summary	FY 2016-2017 <i>(current year)</i>	FY 2017-2018	FY 2018-2019
State Revenue			
State Expenditures	Minimal workload impact. See State Expenditures Section.		
Appropriation Required: None.			
Future Year Impacts: Ongoing workload impact.			

Summary of Legislation

Under current law, a first responder peer support team member and a first responder (first responder team members) have evidentiary privilege and are not required to testify in court about communication that occurred during the peer support sessions without the consent of the person who received the support. This bill removes the requirement that evidentiary privilege only applies to communications occurring in an individual peer support meeting.

First responder team members may be required to testify without consent under current law if the communication indicates actual or suspected child abuse. This bill extends this evidentiary privilege exception to communication regarding actual or suspected crimes against at-risk persons.

Background

First responder team members include law enforcement, firefighters, emergency medical providers, and rescue unit members.

State Expenditures

This bill minimally impacts the workload of the courts and state agencies that have first responder team members. By broadening evidentiary privilege to all first responder team member communication, this bill decreases the likelihood of having to testify and may decrease the workload of first responder team members. By eliminating evidentiary privilege in cases involving actual or

suspected crimes against at-risk persons, this bill increases the likelihood of having to testify and may increase the workload of first responder team members. Court workload is also impacted by the frequency in which first responder team members are required to testify and may increase or decrease as a result of this bill. Any change in workload is expected to be minimal and will not result in a change in appropriations for the courts or any state agency.

Local Government Impact

This bill minimally impacts local government agencies with first responder team members such as police, sheriffs, firefighters, and rescue units. Personnel cost savings and workload decreases may result from the extension of evidentiary privilege to additional peer support communications. However, the elimination evidentiary privilege in cases of actual or suspected crimes against at-risk persons may increase costs and workload for first responder team members to appear in court and testify. This impact is expected to be minimal because first responders already appear in court to testify as part of their regular job duties. Changes in the amount of testimony also impacts the workload of municipal and county courts, however any change in court workload resulting from this bill is expected to be minimal.

Effective Date

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

State and Local Government Contacts

Counties	District Attorneys	Judicial
Law	Information technology	Municipalities
Public Defenders	Public Safety	