



**Colorado
Legislative
Council
Staff**

HB16-1110

FISCAL NOTE

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

Drafting Number: LLS 16-0358
Prime Sponsor(s): Rep. Neville P.
 Sen. Neville T.

Date: January 26, 2016
Bill Status: House SVMA
Fiscal Analyst: Bill Zepernick (303-866-4777)

BILL TOPIC: PARENT'S BILL OF RIGHTS

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Potential increase.	
Appropriation Required: None.		
Future Year Impacts: Potential state expenditure increase.		

Summary of Legislation

The bill codifies the Parent's Bill of Rights in state statute, which states that the liberty interests of a parent in the care, custody, and control of his or her child are a fundamental right. It further specifies that neither the state nor local governments may infringe upon the rights of parents without first showing that there is a compelling governmental interest in doing so and that there is not a less restrictive means of achieving the governmental interest. The bill specifies that its provisions do not prohibit the courts, law enforcement, or other state or local agency from acting within the scope of their authority and in their official capacities in matters concerning child welfare services.

State Expenditures

To the extent that individuals challenge the actions of state agencies as infringing on the rights of parents, workload and legal service costs may increase for state agencies. The courts may have additional workload to hear any cases arising from these actions. In addition, in the event that a court ruling states that a parent's rights have been infringed, a state agency may be required to alter its current practices or procedures. While the fiscal note is unable to estimate how many potential cases could be brought concerning these matters or predict their outcome, it is assumed that the courts and state agencies can continue to operate within existing appropriations. Any costs, if they occur, will be addressed through the annual budget process.

Local Government Impact

Similar to the State Expenditures section above, local government policies may potentially be challenged in court as having infringed upon the rights of parents. This may potentially increase workload and legal service costs. Any local government agency found to have infringed upon a parent's rights may be required to alter its current practices or procedures. Overall, the fiscal impact of this measure on local governments is assumed to be minimal.

Effective Date

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

All Departments Counties Municipalities