



**Colorado
Legislative
Council
Staff**

HB16-1443

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 16-0998
Prime Sponsor(s): Rep. Singer
Sen. Heath

Date: August 19, 2016
Bill Status: Postponed Indefinitely
Fiscal Analyst: Bill Zepernick (303-866-4777)

BILL TOPIC: YOUTH SPORTS ORGANIZATIONS BACKGROUND CHECK NOTICE

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue Cash Funds	Potential increase.	
State Expenditures Cash Funds	Potential increase.	
TABOR Impact		Potential increase.
Appropriation Required: None.		
Future Year Impacts: Ongoing potential increase in revenue and expenditures.		

NOTE: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

Beginning September 1, 2016, the bill requires youth sports organizations to notify a parent or legal guardian of each participating child concerning the organization's policies relating to criminal history background checks for adult employees and volunteers who work directly with children. Youth sports organizations must provide the notice within 30 days of a child registering with the organization. In addition, the bill requires youth sports organizations to either supervise all adult employees and volunteers who work directly with children but who have not had a background check conducted in the preceding 12 months, or to provide a notice that such supervision is not provided by the organization.

Youth sports organizations are defined in the bill as private, for-profit or not-for-profit corporations that provide sports activities for youths under age 18 as part of its core function. The bill excludes neighborhood youth organizations, public and private K-12 schools, public and private institutions of higher education, organizations providing unscheduled sporting events on a walk-in basis, and short-term classes or lessons on a walk-in basis from the definition of youth sports organization.

State Revenue

To the extent the bill encourages additional youth sports organizations to have background checks conducted on their employees and volunteers, revenue to the Department of Public Safety will increase. The fee for a background check is \$39.50, of which \$22.25 is deposited into the Colorado Bureau of Investigation (CBI) Identification Unit Cash Fund and \$17.25 is passed through to the federal government for a Federal Bureau of Investigation background check.

TABOR Impact

This bill potentially increases state revenue from fees, which may increase the amount of money required to be refunded under TABOR in FY 2017-18. TABOR refunds are paid out of the General Fund. A TABOR refund is not projected for FY 2016-17.

State Expenditures

To the extent the bill encourages additional youth sports organizations to have background checks conducted on their employees and volunteers, workload and costs in the Department of Public Safety will increase. Any costs incurred will be paid with fee revenue in the CBI Identification Unit Cash Fund. Given that background checks remain voluntary under the bill, no estimate is available on the potential increase in the number of background checks that may occur. It is assumed that additional appropriations, if required, will be requested through the annual budget process after any change in background check volume is known.

The bill does not specify any mechanism for enforcement of the notice requirement. As such, no state or local agency will have workload or costs to investigate violations or take enforcement action. However, lack of required notice could be a factor considered during a civil action against a youth sports organization concerning the conduct of an employee or volunteer. Any impact from this on trial court workload in the Judicial Department is assumed to be minimal.

Effective Date

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on May 5, 2016.

State and Local Government Contacts

Counties Law	Education Municipalities	Human Services Public Safety	Judicial
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