



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

HB 18-1152

# REVISED FISCAL NOTE

(replaces fiscal note dated February 7, 2018)

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<b>Drafting Number:</b>	LLS 18-0802	<b>Date:</b>	April 16, 2018
<b>Prime Sponsors:</b>	Rep. Lawrence Sen. Cooke	<b>Bill Status:</b>	Senate SVMA
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**Bill Topic:** JUDICIAL SEXUAL HARASSMENT RECORDS SUBJECT TO CORA

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**Summary of Fiscal Impact:** **No fiscal impact.** This bill makes the Judicial Department subject to the Colorado Open Records Act's (CORA) provisions concerning sexual harassment records through May 1, 2021. Because the CORA provision is the same as existing Judicial Department rules, there is no fiscal impact.

**Appropriation Summary:** No appropriation is required.

**Fiscal Note Status:** The revised fiscal note reflects the reengrossed bill.

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## Summary of Legislation

This bill makes the Judicial Department subject to the Colorado Open Records Act's (CORA) provisions concerning sexual harassment records through May 1, 2021.

## Background

Under current law, CORA requires that state agencies allow the public to inspect documents and records, with certain exceptions. Under CORA, state agencies must produce a record for inspection within a reasonable period of time, which is usually three days. Statute defines public records to include all writings made, maintained, or kept by the state, any agency, institution, political subdivision of the state, local government-financed entity, or nonprofit corporation incorporated by a state supported higher education institution's governing board.

Currently, the Judicial Department is exempt from CORA. The Colorado Supreme Court adopted the Public Access to Administrative Records of the Judicial Branch rule in 2015, with modifications made in 2016. The rule is patterned after CORA with some exceptions. The rule allows access to certain types of records to be denied, such as allowing the inspection of e-mail addresses of employees, licensing and certification information, and individual signatures. It also prohibits the release of certain types of information that are specific to the Judicial Department, such as records that reveal a crime victim's confidential personal information, public service supervision files, juror records, search warrants that do not have a return of service, and individual responses to surveys conducted with respect to performance evaluations, among others.

## **Assessment of No Fiscal Impact**

This bill codifies current practice of the Judicial Department, and is therefore, assessed as having no fiscal impact.

## **Effective Date**

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

## **State and Local Government Contacts**

Judicial