



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SB 19-071

FINAL FISCAL NOTE

Drafting Number: LLS 19-0295
Prime Sponsors: Sen. Fields
Rep. Roberts

Date: August 29, 2019
Bill Status: Signed into Law
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Bill Topic: CHILD HEARSAY EXCEPTION

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>)	<input checked="" type="checkbox"/> Local Government (<i>minimal</i>)
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill changes the exceptions to the hearsay rule to expand the admission of an out-of-court statement made by a child. This bill potentially increases workload in the Judicial Department on an ongoing basis.

Appropriation Summary: No appropriation is required for this bill.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

This bill changes the exceptions to the hearsay rule to expand the admission of an out-of-court statement made by a child for:

- any criminal, delinquency, or civil proceeding in which the child, a person under the age of 13, is alleged to have been a victim; or
- any criminal, delinquency, or civil proceedings in which the child describes all or part of an offense of unlawful sexual behavior.

State Expenditures

Starting in FY19-20, this bill may result in a minimal increase in court filings, as a result of additional child hearsay statements, which will increase workload for the Judicial Department. Any increase in workload can be accomplished within existing appropriations. Child hearsay is already present in motions hearings in child sex assault cases and the fiscal note assumes this bill will likely not result in a significant increase in the number of hearings.

This bill will also result in a one time increase in the workload for the Colorado Department of Human Services to make minor changes to the child welfare training system curriculum for county caseworkers as a result of changes under this bill. The increase in workload to the Department of Human Services can be accomplished within existing appropriations.

Local Government

To the extent that there is an increase in court filings, this bill will increase workload for district attorneys. Any increase in workload for district attorneys is expected to be minimal. Any court filing increase will also increase workload for the Denver County Court, funded and operated by the City and County of Denver.

Effective Date

The bill was signed into law Governor on March 21, 2019, and took effect July 1, 2019. The bill applies to proceedings occurring on or after this date.

State and Local Government Contacts

Counties	District Attorneys	Human Services
Information Technology	Judicial	Office Of The Child's Representative