



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SB 19-091

FINAL FISCAL NOTE

Drafting Number: LLS 19-0294
Prime Sponsors: Sen. Fields; Cooke
Rep. Singer

Date: June 13, 2019
Bill Status: Signed into Law
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Bill Topic: SUPPORT PEACE OFFICERS INVOLVED IN USE OF FORCE

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
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill requires law enforcement agencies to develop and maintain a policy for supporting a peace officer that is involved in a shooting or fatal use of force. It increases state and local government costs and workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

This bill requires state and local law enforcement agencies to develop and maintain a policy for supporting a peace officer that is involved in a shooting or fatal use of force. Law enforcement agencies are defined as the Colorado State Patrol, the Colorado Bureau of Investigation, the Department of Corrections (DOC), the Division of Wildlife within the Department of Natural Resources, a county sheriff, municipal police, town marshal, or a campus police department.

Use of force policy requirements. The policy must be established by January 1, 2020 and must, at a minimum, include:

- pre-incident preparation which includes training and education about normal and problematic post-traumatic reactions;
- protocols to ensure an involved officer's physical and psychological safety;
- post-incident services and the ability to extend post-incident services to the officer's family;
- guidelines for temporary leave or duty reassignment; and
- guidelines and procedures for an officer's return to duty.

Use of force policy optional requirements. Law enforcement agencies subject to the agency's size and available resources may include the following in their use of force policy:

- at least one post-incident intervention with a qualified mental health professional;
- ongoing confidential mental health services; and
- peer support.

Use of force policy review. Use of force policies must be evaluated every other year and updated to reflect current best practices and available resources.

State Expenditures

Beginning in FY 2019-20, this bill increases costs and workload for the Colorado Bureau of Investigation and the Colorado State Patrol within the Department of Public Safety, the DOC, and the Division of Parks and Wildlife in the Department of Natural Resources to ensure that their use of force policies are consistent with the bill's requirements. Workload is further increased to evaluate their policy every other year and to update it to be consistent with current best practices. Because these agencies already have use of force policies that are consistent with the requirements created by this bill, this impact is considered to be minimal.

Local Government

Beginning in FY 2019-20, this bill increases costs and workload for county, municipal, and campus law enforcement agencies to create or update use of force policies. Costs may be further increased to provide additional training, post incident services to the officer or the officer's family, and peer and mental health support services. These impacts will vary by law enforcement agency depending on current use of force policy compliance with the bill's requirements, the implementation of optional use of force policy requirements, and the number of incidents where an officer is involved in the use of force and have not been estimated.

Effective Date

This bill was signed into law by the Governor on April 23, 2019, and takes effect August 2, 2019, assuming no referendum petition is filed.

State and Local Government Contacts

Corrections
Law
Public Safety

Counties
Local Affairs
Sheriffs

Judicial
Municipalities