



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 20-0655 Date: February 10, 2020
Prime Sponsors: Rep. Sandridge Bill Status: House SVMA
Fiscal Analyst: Erin Reynolds | 303-866-4146 Erin.Reynolds@state.co.us

Bill Topic: PROTECT MINORS FROM MUTILATION AND STERILIZATION

- Summary of Fiscal Impact: State Revenue, TABOR Refund, State Expenditure, Local Government, State Transfer, Statutory Public Entity

The bill creates a class 3 felony offense for healthcare professionals performing any sex reassignment treatment for any person under 18 years of age. It may minimally increase state and local revenue and expenditures beginning in the current FY 2019-20.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill creates a class 3 felony offense for healthcare professionals performing a sex reassignment treatment for any person under 18 years of age. Any healthcare professional who performs such a treatment is also subject to professional discipline.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of criminal conviction for those offense.

Prior conviction data and assumptions. This bill creates the new offense of unlawful performance of sex reassignment treatment, a class 3 felony. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of practicing medicine without a license for a second or subsequent time as a comparable crime. For the past three fiscal years, zero offenders have been sentenced and convicted for this existing offense. Based on the comparable crime data, this analysis assumes that there will be a minimal impact on criminal case filings.

State Revenue and Expenditures

This analysis assumes a high level of compliance by healthcare professionals, resulting in a minimal impact on criminal case filings. As a result, any increase of fines and court fees and related TABOR impact is expected to be minimal. Similarly, potential workload increases for the Judicial Department, the Division of Probation, agencies that provide representation to indigent persons, and the Department of Corrections require no change in appropriations.

In addition, this bill will increase workload for the various healthcare professional boards in the Department of Regulatory Agencies (DORA) to the extent any hearings for unprofessional conduct are brought in front of the board as a result of the bill. DORA will also update its materials to reflect the change in law. No change in appropriations is required.

Local Government

Similar to the state, it is expected that any workload or cost increase for district attorneys to prosecute the new class 3 felony under the bill will be minimal. District attorney offices are funded by counties, with each county in a judicial district contributing based on its population.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature. It applies to offenses committed on or after the effective date.

State and Local Government Contacts

Corrections
Judicial

Counties
Regulatory Agencies

District Attorneys