



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

SB 20-129

FINAL FISCAL NOTE

Drafting Number:	LLS 20-0003	Date:	September 1, 2020
Prime Sponsors:	Sen. Holbert; Ginal Rep. Froelich; Ransom	Bill Status:	Signed into Law
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Bill Topic: PROTECTION OF INDIVIDUALS SUBJECT TO A FIDUCIARY

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires a court to appoint a court visitor to interview the respondent in person and help respondents understand certain information in emergency guardian and special conservator cases. The bill also requires a judge to rule on certain motions or requests within 14 days. The bill increases state workload on an ongoing basis.

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

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

Summary of Legislation

The bill requires a court visitor be appointed by the court in order to interview the respondent in person and help respondents understand certain information in emergency guardian and special conservator cases. The court visitor may make any other investigations under the direction of the court and must file a report with the court that includes information specified in the bill.

In addition, under current law, a court may conduct an emergency review of a fiduciary's actions upon its own motion or the request of an interested person. The bill requires the court to rule on the motion or request within 14 days.

State Expenditures

The bill will increase workload for the trial courts in the Judicial Department to appoint more court visitors for emergency guardianships and special conservators and rule on motions or requests within 14 days. In addition, to the extent that more court visitors appointments are required as a result of the bill, expenditures will increase in order for the Judicial Department to pay court visitors. For informational purposes, in FY 2018-19, there were 3,480 adult and minor guardianship and/or conservatorship cases statewide. These increases can be accomplished within existing resources and no appropriation is required. Should a change in funding be required for the Judicial Department, the fiscal note assumes it will be addressed through the annual budget process.

Effective Date

The bill was signed into law by the Governor on July 10, 2020, and took effect on September 1, 2020. The bill applies to petitions filed on or after this date.

State and Local Government Contacts

Counties	Human Services
Judicial	Office of Public Guardianship