



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Final Fiscal Note

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<b>Drafting Number:</b>	LLS 21-0124	<b>Date:</b>	July 6, 2021
<b>Prime Sponsors:</b>	Rep. Caraveo; Carver Sen. Bridges; Lundeen	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** PROTECTIONS FOR PUBLIC HEALTH DEPT WORKERS

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**Summary of Fiscal Impact:**

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

This bill creates protections for the personal information of state and local public health workers. Beginning in FY 2021-22, the bill will increase state and local government expenditures on an ongoing basis.

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

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

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## Summary of Legislation

Under current law, it is unlawful to publish the personal information of a law enforcement official, human services worker, and their families, if the publishing of the personal information would pose an imminent and serious threat to their safety. The bill extends the protection of personal information on the internet to public health workers, including employees, contractors or employees of contractors of the Department of Public Health and Environment (CDPHE) or a local public health agencies. In addition, a protected person, which includes both human services and public health workers, can submit a written request to a state or local government official to remove their personal information from public records that are available on the internet. A violation is a class 1 misdemeanor.

## 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 expands the current offense of making personal information for law enforcement officials or human service workers available on the internet, a class 1 misdemeanor, to include public health workers. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of making personal information for law enforcement officials or human service workers available on the internet as a comparable crime. From 2018 to 2020, no offenders have been convicted and sentenced for this existing offense; therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill.

## State Expenditures

The bill will minimally increase workload in the Judicial Department and the Department of Personnel and Administration beginning in FY 2021-22.

**Judicial Department.** Expanding the pool of protected individuals will minimally increase workload in the trial courts to adjudicate additional cases under the bill. Likewise, the bill has the potential to increase convictions and subsequently sentences to probation. However, based on the low number of comparable cases that exist under current law, any increase in cases as a result of this legislation will be minimal and can be addressed within existing appropriations.

**Department of Personnel and Administration.** The bill will minimally increase workload in the Department of Personnel and Administration to remove state employee information from state websites upon request of a protected person. This workload can be accomplished within existing resources.

## Local Government

Starting in FY 2021-22, local government entities will be responsible for removing personal information covered by this bill upon request of a protected person. Violations will fall under the jurisdiction of local peace officers and District Attorney offices. Similar to the state, due to the small number of expected cases, the associated workload will be minimal.

## Effective Date

The bill was signed into law by the Governor and took effect on May 18, 2021.

## State and Local Government Contacts

Counties	District Attorneys	Information Technology
Judicial	Law	Local Affairs
Municipalities	Personnel	Public Health and Environment
Public Safety		