



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 21-0038
Prime Sponsors: Sen. Bridges
Rep. Cutter

Date: February 16, 2021
Bill Status: Senate Judiciary
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Bill Topic: **LIMITS ON GOVERNMENTAL RESPONSES TO PROTESTS**

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 |

The bill prohibits state and local government agencies from dispersing protests or deeming protests unlawful unless a significant number of people pose an imminent threat of using force or violence to cause personal injury or significant property damage. In FY 2021-22, it will minimally increase state and local government workload.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill prohibits a state or local government agency, or any person acting on behalf of these agencies, from ordering people who are protesting or demonstrating to disperse, or from deeming the protest or demonstration unlawful, unless a significant number of people are acting in concert to pose an imminent threat of using force or violence to cause personal injury or significant property damage. Every effort must be taken to differentiate between those acting in concert to escalate the activities described above and those acting in concert to continue engaging in a peaceful, lawful assembly. People engaging in a peaceful, lawful assembly must be allowed to continue to do so without interruption.

State Expenditures

State entities that employ or train law enforcement officers, such as the Department of Public Safety, the Department of Natural Resources, and the Department of Law, will review and update policies and procedures to align with the bill. No change in appropriations is required.

While the bill does not include any penalty for failure to comply, it may result in potential litigation concerning how and when protests or demonstrations are dispersed. Any change in workload for the trial courts is expected be minimal and no change in appropriations to the Judicial Department is required.

Local Government

Similar to the state, local agencies will update policies and procedures concerning crowd management and public demonstrations.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Counties	District Attorneys	Information Technology
Judicial	Law	Municipalities
Natural Resources	Personnel	Public Defender
Public Safety	Sheriffs	