



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Revised Fiscal Note

(replaces fiscal note dated March 10, 2022)

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<b>Drafting Number:</b>	LLS 22-0408	<b>Date:</b>	May 11, 2022
<b>Prime Sponsors:</b>	Sen. Gonzales Rep. Bacon; Gonzales-Gutierrez	<b>Bill Status:</b>	House Third Reading
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**Bill Topic:** **DECEPTIVE TACTICS JUVENILE CUSTODIAL INTERROGATION**

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<b>Summary of Fiscal Impact:</b>	<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 requires law enforcement agencies that use or might use any juvenile custodial interrogation procedures to adopt related written policies and procedures. Starting in FY 2022-23, the bill will increase state and local workload on an ongoing basis.

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

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**Fiscal Note Status:** This revised fiscal note reflects the revised version of the bill.

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## Summary of Legislation

By February 28, 2023, the bill requires law enforcement agencies that use or might use any juvenile custodial interrogation procedure to adopt written policies and procedures that are consistent with the juvenile custodial interrogation procedures of the International Association of Chiefs of Police or other nationally recognized peer-reviewed research. Specifically, the policies must include requirements for:

- age-appropriate Miranda warnings administered prior to custodial interrogation;
- electronic recording of all juvenile custodial interrogations; and
- tailored questions for the age, sophistication, maturity, level of education, mental ability, and other pertinent information of the juvenile.

## Background

House Bill 16-1117 required a peace officer investigating an alleged class 1 or 2 felony or a felony sexual assault to electronically record an interrogation occurring in a detention facility.

## **State Expenditures**

To the extent a state law enforcement agency uses or might use juvenile custodial interrogation procedures, workload to that agency will increase to develop policies in line with the bill. No change in appropriations is required for any state agency.

## **Local Government**

Workload to local law enforcement agencies will increase to update policies to reflect the requirements of the bill.

## **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**

Corrections	District Attorneys
Education	Higher Education
Human Services	Information Technology
Judicial	Law
Natural Resources	Sheriffs