



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated February 20,2023)

Drafting Number: LLS 23-0466 Date: April 17, 2023
Prime Sponsors: Rep. Ortiz Bill Status: Senate Judiciary
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Bill Topic: REMEDIES PERSONS WITH DISABILITIES

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

The bill specifies the legal remedies that a person with a disability may pursue in cases alleging discrimination. The bill may increase revenue and workload for the trial courts beginning FY 2023-24.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The revised fiscal note reflects the reengrossed bill.

Summary of Legislation

The bill prohibits an individual with a disability from being excluded from participation in, or denied the benefits of services, programs, or activities provided by a place of public accommodation. The bill establishes that a person alleging discrimination on the basis of a disability in employment, housing, or discriminatory advertising must first exhaust available administrative proceedings and remedies before filing an action in district court. In cases of public accommodation, an individual may file actions directly with the courts. In certain civil suits, the bill permits the courts to require compliance with applicable provisions and award either actual monetary damages or levy a statutory fine.

State Revenue and Expenditures

State revenue from filing fees and expenditures in the trial courts may change slightly beginning FY 2023-24, although the change is expected to be minimal. The bill allows individuals to initiate civil actions based on alleged discriminatory or unfair practices in places of public accommodation without first exhausting the administrative proceedings and remedies available by filing a charge with the Colorado Civil Rights Commission in the Department of Regulatory Affairs. Conversely, some workload may decrease for the commission if individuals bypass those remedies for actions in the trial courts. Any change of venue for legal relief between the commission and the trial courts does not require a change in appropriations.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Corrections

Information Technology

Law

Regulatory Agencies

Counties

Judicial

Municipalities

Governor

Labor

Personnel