



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Final Fiscal Note

**Drafting Number:** LLS 23-0779  
**Prime Sponsors:** Rep. Luck  
Sen. Baisley

**Date:** June 5, 2023  
**Bill Status:** Lost in House  
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**Bill Topic:** FAMILY COURTS STUDY COMMISSION

**Summary of Fiscal Impact:**

- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

The bill would have established a commission to study family courts and report to the General Assembly and Judicial Department. The bill would have increased state expenditures in FY 2023-24 and FY 2024-25 only.

**Appropriation Summary:**

For FY 2023-24, the bill would have required an appropriation from the General Fund of \$186,324 to multiple departments.

**Fiscal Note Status:**

The fiscal note reflects the introduced bill as amended by the House Judiciary Committee. The bill was deemed lost in the House on May 9, 2023; therefore, the impacts described in this analysis do not take effect.

**Table 1**  
**State Fiscal Impacts Under HB 23-1159**

		Budget Year FY 2023-24	Out Year FY 2024-25
<b>Revenue</b>		-	-
<b>Expenditures</b>	General Fund	\$186,324	\$32,212
	Centrally Appropriated	\$21,662	\$7,387
	<b>Total Expenditures</b>	<b>\$207,986</b>	<b>\$39,599</b>
	<b>Total FTE</b>	<b>1.2 FTE</b>	<b>0.4 FTE</b>
<b>Transfers</b>		-	-
<b>Other Budget Impacts</b>	General Fund Reserve	\$27,949	\$4,832

## **Summary of Legislation**

The bill creates a commission to study family courts and make recommendations to the Judicial Department and the General Assembly. The commission is tasked with studying the administration and operations of family courts, as well as judicial decisions and the short-term and long-term outcomes of persons involved in family court. The commission will accept and consider written testimony, reports and research from individuals and private entities. The bill specifies the membership of the commission, including:

- individuals with lived experience with the family courts;
- a judge who has overseen a family court;
- a representative of the State Court Administrator's Office;
- a representative of a child support agency;
- a victim's advocate;
- family law attorneys;
- a parental responsibility evaluator or child and family investigator;
- one state representative; and
- one state senator.

Administrative support for the commission is provided by Legislative Council Staff and Legislative Legal Services. The commission may hire a consultant to assist in compiling data and report writing. Members of the commission serve without compensation but may be reimbursed for travel expenses. The commission will meet at least once every three months but no more than 12 times in total, beginning no later than September 30, 2023.

The Judicial Department will provide a sample of 2,000 family court cases for review by the commission, which must not contain any personally identifying information. The commission must submit a report to the Judicial Department and to the General Assembly by September 30, 2024.

## **Assumptions**

This fiscal note assumes that the commission will meet a total of eight times: four times at the State Capitol Building and four times at a location outside of the Denver Metropolitan Area. It is assumed that the commission will hire a consultant to compile data and write the report.

**State Expenditures**

The bill increases state expenditures in the Legislative Branch and Judicial Department by \$156,225 and 1.2 FTE in FY 2023-24 and \$39,599 and 0.4 FTE in FY 2024-25, paid from the General Fund. Expenditures are shown in Table 2 and detailed below.

**Table 2  
Expenditures Under HB 23-1159**

	FY 2023-24	FY 2024-25
<b>Legislative Branch</b>		
Personal Services	\$30,506	-
Operating Expenses	\$27,208	-
Legislator Per-Diem	\$1,343	
Consultant Fees	\$60,000	-
Centrally Appropriated Costs <sup>1</sup>	\$7,263	-
FTE – Personal Services	0.4 FTE	-
<b>Dept. Subtotal</b>	<b>\$126,320</b>	<b>-</b>
<b>Judicial Department</b>		
Personal Services	\$59,647	\$31,812
Operating Expenses	\$950	-
Capital Outlay Costs	\$6,670	\$400
Centrally Appropriated Costs <sup>1</sup>	\$14,399	\$7,387
FTE – Personal Services	0.8 FTE	0.4 FTE
<b>Dept. Subtotal</b>	<b>\$81,666</b>	<b>\$39,599</b>
<b>Total</b>	<b>\$207,986</b>	<b>\$39,599</b>
<b>Total FTE</b>	<b>1.2 FTE</b>	<b>0.4 FTE</b>

<sup>1</sup> Centrally appropriated costs are not included in the bill's appropriation.

**Legislative Council Staff.** A research associate from Legislative Council Staff will provide administrative and research support to the commission. This staff will enable meetings to be recorded and broadcast using the Legislature’s Information Technology Systems, record votes of commission members, manage witness testimony and research topics that are requested by commission members. These duties will result in a total of 0.3 FTE for the length of the commission.

**Legislative Legal Services.** A staff attorney will assist the commission with legal research and other support, resulting in 0.1 FTE.

**Travel expenses.** In FY 2023-24 only, expenditures will increase to reimburse staff, legislators, and other commission members for travel. The fiscal note assumes that four meetings will occur outside of the State Capitol. More information about the reimbursement for each group can be found below.

- **Staff travel.** Staff from Legislative Council Staff and the Office of Legislative Legal Services will qualify for travel cost reimbursement at meetings outside of the Capitol only, at a cost of \$219 per meeting.
- **Legislator travel.** Legislative members will receive travel reimbursement for meetings at the Capitol at \$124 per meeting and not at the Capitol at \$219 per meeting.
- **Other commission member travel.** Remaining commission members will qualify travel expenses for four meetings at the capitol, at a rate of \$124 per meeting and four meetings outside of the Denver Metropolitan area at a rate of \$219 per meeting.

**Legislator per diem.** This fiscal note assumes that two of the meetings will take place during the legislative session and that the remaining six will occur outside of session. The legislative members of the commission qualify for per diem expenses at a rate of \$111.89 per day for the six meetings outside of session, resulting in \$1,343 in per diem expenses.

**Consultant fees.** This fiscal note assumes that the commission will retain the services of a person who will assist with data analysis and report writing. Based on previous contracts to conduct similar work for an interim committee, this fiscal note estimates that the commission will have costs of \$60,000 to contract with a consultant for the required work. It is assumed that Legislative Council Staff will manage this contract.

**Judicial Department.** The Judicial Department will require a contract courts programs analyst, totaling 0.8 FTE in FY 2023-24 and 0.4 FTE in FY 2024-25 prepare information for the 2,000 cases requested by the Family Courts Commission. Each case is expected to take approximately one hour to redact personally identifying information and tag cases with the data required in the bill. Costs are prorated for the General Fund paydate shift and assume a September 1 start date. Costs also include operating and capital outlay.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

## Other Budget Impacts

**General Fund reserve.** Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

## Effective Date

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

## State Appropriations

For FY 2023-24, the bill requires appropriations totaling \$186,324 to the Legislative Branch and Judicial Department and 1.2 FTE, paid from the General Fund, as follows:

- \$85,544 and 0.3 FTE to Legislative Council Staff;
- \$9,343 and 0.1 FTE to the Office of Legislative Legal Services;
- \$24,170 to the General Assembly; and
- \$67,267 to the Judicial Department and 0.8 FTE

## State and Local Government Contacts

Judicial

Legislative Council

Legislative Legal Services