



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 23-0436	Date:	May 31, 2023
Prime Sponsors:	Rep. Marshall Sen. Hinrichsen	Bill Status:	Postponed Indefinitely
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Bill Topic: COUNTY SHERIFFS & DISTRICT ATTORNEYS

Summary of Fiscal Impact:

<input checked="" 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 would have limited the political activities of employees of county sheriff offices. It would have minimally increased state workload, and may have increased state revenue and local government workload beginning in FY 2023-24.

Appropriation Summary: No appropriation was required.

Fiscal Note Status: The fiscal note reflects the reengrossed bill. This bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on April 20, 2023; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill limits the political activities of employees in county sheriff offices, including the county sheriff, when in uniform or using public property. The specific political activities that are prohibited are outlined in the bill and violators are subject to a civil penalty of up to \$1,000 and may be dismissed from service. An individual may file an affidavit with the district attorney to report a violation and the district attorney will investigate and prosecute the violation. The Attorney General may also file and prosecute complaints under the bill.

State Revenue

State revenue may increase from fines, which are subject to TABOR, when employees in county sheriff offices fail to comply with the bill's restrictions on political activity. The fiscal note assumes that employees will generally follow the law, and any fine revenue will be minimal.

State Expenditures

The bill increases workload for the Attorney General to pursue complaints under the bill. It is assumed that the Department of Law will prioritize this work within existing resources. The bill also increases workload for the trial courts, as it is assumed that these cases would be handled through a civil action filed in court. The fiscal note assumes these impacts will be minimal as employees will generally follow the law.

Local Government

Beginning in FY 2024-25, workload may increase for county sheriff offices to notify staff of changes in policies and enforce regulations. This workload is expected to be minimal.

District attorneys will have additional workload and costs to receive complaints, investigate, and prosecute violations under the bill. This will increase workload, and potentially costs should district attorneys need to hire investigators or to train or contract with attorneys to handle prosecutions.

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

County Clerks
Law
Sheriffs

District Attorneys
Personnel

Judicial
Secretary of State