



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 24-0596	Date:	February 12, 2024
Prime Sponsors:	Rep. Lindstedt Sen. Bridges	Bill Status:	House Trans., Hous., & Local Gov.
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Bill Topic:	JUDICIAL REVIEW OF LOCAL LAND USE DECISION
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Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill requires the court to award attorney fees for prevailing defendants in a local land use case. The bill may reduce revenues and expenditures beginning in FY 2024-25.

Appropriation Summary:	No appropriation is required.
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Fiscal Note Status:	The fiscal note reflects the introduced bill.
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Summary of Legislation

The bill requires courts to award reasonable attorney fees to defendants who win any case involving a judicial review of a local land use decision, unless the person bringing forward the case is the land use applicant. The bill also allows governments to treat a local land use decision as valid while any judicial review of the case is pending.

State Revenue and Expenditures

The bill will impact state revenue and expenditures in two ways. First, to the extent the bill decreases the number of civil lawsuits related to local land use decisions by discouraging plaintiffs from bringing forward a case unless they expect to prevail, courts will have a decrease in workload and collect less filing fees. Conversely, workload to trial courts will increase to determine reasonable attorney fees in cases where the defendant prevails. Overall, the bill is expected to minimally impact revenue and workload in the trial courts. No change in appropriations is required.

Local Government

Similar to the state, revenue and workload to the Denver County Court will be impacted by a reduced number of civil cases, and more time to determine attorney fees. This impact is expected to be minimal. In addition, local governments may have reduced litigation costs over land use decisions if the bill results in a decrease in civil cases.

Effective Date

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

State and Local Government Contacts

Counties

Judicial

Municipalities

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).