



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 24-0355	Date:	February 12, 2024
Prime Sponsors:	Rep. Joseph; Ortiz Sen. Gonzales; Michaelson Jenet	Bill Status:	House Health & Human Services
		Fiscal Analyst:	Aaron Carpenter 303-866-4918 aaron.carpenter@coleg.gov

Bill Topic:	RIGHTS FOR YOUTH DIVISION OF YOUTH SERVICES FACILITIES
--------------------	---

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill establishes a bill of rights for juveniles in a Division of Youth Services facility. The bill will increase state workload, and may increase state expenditures, starting in FY 2024-25.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill establishes a bill of rights for juveniles in a Division of Youth Services (DYS) facility, and requires the DHS to update its handbook to include these rights. This includes:

- having access to certain information, legal resources, medical care, education, and persons;
- being protected from certain punishment and discrimination; and
- having protections to participate in legal processes.

State Expenditures

Workload to the DHS within the Department of Human Services will increase to update the handbook given to juveniles within its care. This work can be accomplished within current appropriations. In addition, starting in FY 2024-25, legal costs in DHS may increase if there are additional lawsuits alleging violations of the rights established by the bill. Legal costs include general counsel costs provided by the Department of Law and potential settlements paid from the Risk Management Fund within the Department of Personnel and Administration. The fiscal note assumes that the DHS is in compliance with the bill and that any increase in legal costs due to this legislation will be addressed through the annual budget process.

Effective Date

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

Departmental Difference

The Department of Personnel and Administration estimates the bill will cost \$1,560,978 per year starting in FY 2024-25, with costs paid from the General Fund in FY 2024-25 and from reappropriated funds from the Department of Human Services in FY 2025-26 and future years. This estimate is based on assumptions that the bill will result in 31 claims and of those claims, 3 will have merit and result in settlements. The fiscal note assumes the Department of Human Services is in compliance with the bill and if the bill does result in additional litigation, it will be funded through common policies and the annual budget process.

State and Local Government Contacts

Human Services	Judicial	Law
Personnel		

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](#).