



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Note

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| <b>Drafting Number:</b> | LLS 24-0072                                    | <b>Date:</b>           | February 2, 2024  |
| <b>Prime Sponsors:</b>  | Sen. Danielson; Fields<br>Rep. Duran; Weissman | <b>Bill Status:</b>    | Senate Judiciary  |
|                         |  | <b>Fiscal Analyst:</b> | John Armstrong   303-866-6289<br>john.armstrong@coleg.gov |

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**Bill Topic:** **CHILD SEXUAL ABUSE ACCOUNTABILITY AMENDMENT**

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| <b>Summary of Fiscal Impact:</b> | <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 resolution refers to the 2024 general election ballot a measure amending the state constitution which would allow the General Assembly to pass a law that is retrospective. The bill will increase state expenditures in FY 2024-25 only.

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**Appropriation Summary:** No appropriation is required.

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**Fiscal Note Status:** The fiscal note reflects the introduced resolution.

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## Summary of Legislation

This concurrent resolution refers a ballot measure to voters at the November 2024 election. If approved, the measure would allow the General Assembly to pass a retrospective law allowing victims of sexual abuse that occurred while the victim was a minor to bring a civil claim for their abuse. The measure would also allow the General Assembly to retrospectively waive governmental immunity for a child sexual abuse civil claim.

## Background

The Colorado Constitution currently does not allow the General Assembly to pass a law that is retrospective, meaning a law that changes a persons' rights in the past. The General Assembly enacted [Senate Bill 21-088](#), which allowed a victim of child sexual abuse to bring forward a claim beyond the current statute of limitations. Because this law was retrospective, the Colorado Supreme Court deemed it unconstitutional.

## **State Expenditures**

This resolution includes a referred measure that will appear before voters at the November 2024 general election. While no additional appropriation is required, certain election costs are incurred by the state when ballot measures are referred. These include reimbursing counties for certain election costs; publishing the text and title of the measure in newspapers across the state; and preparing and mailing the ballot information booklet.

This fiscal note does not address costs to the state from allowing additional claims regarding child sexual abuse or from waiving governmental immunity for these claims, as this resolution only authorizes the General Assembly to enact legislation on these matters in the future if the referred measure is approved by voters. It does not immediately impact the ability of an individual to pursue such a claim. Any such costs would be addressed in a future fiscal note should the referred measure pass and the General Assembly consider legislation on the topic.

## **Effective Date**

The resolution takes effect upon enactment from the General Assembly.

## **State and Local Government Contacts**

Denver County Courts

Judicial

Personnel

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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](#).