



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 25-1049: COMMUNICATION RIGHTS FOR PERSONS IN CUSTODY

---

**Prime Sponsors:**

Rep. Garcia  
Sen. Amabile; Gonzales J.

**Fiscal Analyst:**

Clayton Mayfield, 303-866-5851  
clayton.mayfield@coleg.gov

**Published for:** House Appropriations**Drafting number:** LLS 25-0303**Version:** First Revised Note**Date:** March 21, 2025

**Fiscal note status:** This revised fiscal note reflects the introduced bill, as amended by the House Judiciary Committee. It has been updated to reflect new information. The bill was recommended by the Legislative Oversight Committee Concerning Colorado Jail Standards.

---

### Summary Information

**Overview.** The bill requires facilities with custody of persons committed, imprisoned, or arrested to allow certain incoming communications with attorneys.

**Types of impacts.** The bill is projected to affect the following areas on a one-time basis:

- State Expenditures
- Local Government

**Appropriations.** No appropriation is required.

---

**Table 1**  
**State Fiscal Impacts**

<b>Type of Impact</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

---

## Summary of Legislation

---

Under current law, a person who is committed, arrested, or imprisoned has the right to communicate with their attorney. The bill specifies that a person also has the right to receive certain communications from their attorney, including an attorney appointed by a court. This includes in-person meetings in places of custody, telephone calls, or, if available, interactive audiovisual conferencing calls. Any communication must be private, and calls must be unrecorded and without cost to the person in custody.

Finally, the bill also requires peace officers and facilities to allow a person in custody to receive a telephone or audiovisual call from their attorney if the person in custody expressly consents to the call.

## State Expenditures

---

The bill increases expenditures in the Department of Corrections (DOC) to ensure that persons in the custody of the DOC have the capability to receive incoming communications from attorneys. The DOC requested additional funds through the annual budget process to expand its capacity to allow inmates to meet with their attorneys. On March 6, 2025, the Joint Budget Committee voted to include \$219,323 General Fund for this purpose in the FY 2025-26 Long Bill. Assuming this funding remains in the Long Bill when enacted by the General Assembly, additional appropriations are not required in this bill.

## Local Government

---

The bill may increase costs to local governments that hold people in custody to ensure facilities comply with the provisions of the bill. Costs may include additional communication infrastructure or availability, and increased staff workload to ensure security, privacy, and access requirements are met. The exact impact will vary by jurisdiction depending on the current equipment and staffing in covered facilities.

## 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**

---

Corrections

Judicial

Counties

Police Chiefs

District Attorneys

Public Defender

Human Services

Sheriffs

Information Technology