



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 25-1290: TRANSIT WORKER ASSAULT & FUNDING FOR TRAINING

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**Prime Sponsors:**

Rep. Lindstedt; Valdez  
Sen. Mullica

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### Summary Information

**Overview.** The bill modifies the crime of third degree assault by including actions taken against a transit worker.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Revenue
- Minimal State Workload
- Local Government
- Statutory Public Entity

**Appropriations.** No appropriation is required.

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**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

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The bill makes it third degree assault (a class 1 misdemeanor) to:

- intend to harass, annoy, threaten, or alarm a transit worker by causing the transit worker to come into contact with bodily fluids or hazardous materials; or
- intend to prevent a transit worker from performing a lawful duty and that action causes bodily injury to the transit worker.

The bill also makes the Regional Transportation District eligible to receive funds from Proposition 130, a ballot initiative passed in 2024 that provided additional state funding to law enforcement agencies and personnel.

## Comparable Crime Analysis

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Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

### Prior Conviction Data and Assumptions

This bill creates a new factual basis for the existing offense of assault in the third degree, a class 1 misdemeanor, by adding certain actions taken against a transit worker. To form an estimate on the prevalence of this modification, the fiscal note analyzed the existing offense of third degree assault against a first responder as a comparable crime. From FY 2021-22 to FY 2023-24, 322 individuals have been convicted and sentenced for this offense, or 107 per year. Of the persons convicted, 225 were male, 96 were female, and 1 did not have a gender identified. Demographically, 233 were White, 53 were Black/African American, 19 were Hispanic, 3 were Asian, 6 were American Indian, 6 were classified as "Other," and 2 did not have a race identified.

This analysis assumes that the offense in the bill will be less prevalent than assault against first responders, based on the limited area in which transit workers conduct their work, and that some of these actions may already be charged under current law. As a result, the analysis assumes there will be minimal or no additional case filings or convictions for the offense as modified by the bill. Visit [leg.colorado.gov/fiscalnotes](https://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## State Revenue and Expenditures

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Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue and expenditures. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons, are assumed to be minimal and no change in appropriations is required.

## Local Government

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Similar to the state, it is expected that any workload or cost decreases for district attorneys to prosecute more offenses, or for county jails to imprison more individuals under the bill will be minimal. District attorney offices and county jails are funded by counties.

## Statutory Public Entity

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If the Regional Transportation District receives additional funds from Proposition 130, its expenditures will increase proportionally.

## Effective Date

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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

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District Attorneys

Public Safety

Judicial

Regional Transportation District

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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](#).